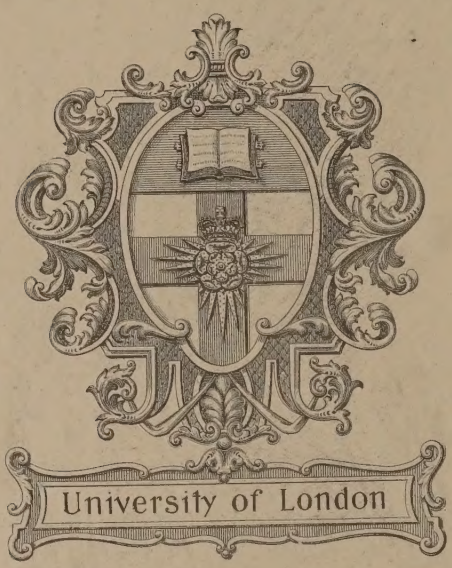
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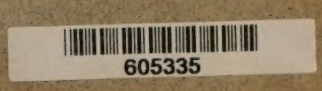
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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

— *(1.)* —

ELECTIONS.

BATH CITY; BEVERLEY;
BURY ST. EDMUND'S; CAMBRIDGE BOROUGH.

Session
30 *April* —— 28 *August* 1857.

VOL. V.

1857—Sess. 2.

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Session

30 April —— 28 May 1847.

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1857—Sess. 2.

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FIRST VOLUME.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BATH CITY ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
4 *August* 1857.

Mercurii, 8° *die Julii*, 1857.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the City of Bath:

John Cheetham, Esq.	Viscount Galway.
William Seymour Fitzgerald, Esq.	Sir Harry Verney, Bart.

Chairman, Right Hon. EDWARD HORSMAN.

Jovis, 9° *die Julii*, 1857.

Ordered, "That the Petition and Lists relative to the said Election be referred to the Committee."

Ordered, "That the Committee do meet to-morrow, in one of the committee-rooms of the House, at Twelve of the clock."

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REPORT.

BATH CITY ELECTION COMMITTEE.

Veneris, 17° *die Julii*, 1857.

The House informed, That the Committee had determined—

That William Tite, Esq., is duly elected a Citizen to serve in this present Parliament for the City of Bath.

The House further informed, That the Committee had agreed to the following Resolution:—

That it was proved to the Committee that Mark Dunscombe was bribed by James Dolphin, by a promise of employment, to vote in favour of Arthur Edwin Way, Esq., but that it was not proved that such bribery was committed with the knowledge and consent of the said Arthur Edwin Way, Esq.

The House further informed, that the Committee had altered the poll taken at the last Election for the City of Bath, by striking off the names of Jesse Corbould, William Franks, John Smith, Francis Davis, Francis Clarke, William Smith, Edward Pearce, Thomas Brabazon Aylmer, William Reynolds, Daniel Breadman, Samuel Giles, Charles Cockle, Joseph Wood, Salvador Marchione, Daniel Thomas Green, William Henry Walmsley, Jesse Stamp, Edwin Bartlett, John Vaughan, Mark Dunscombe, James Dolphin, and George Lewis, as not having had a right to vote at such Election; and had also altered the poll, by striking off the name of Benjamin Bailey from the votes given for William Tite, Esq., and by adding it to the votes given for Arthur Edwin Way, Esq.; and had also altered the poll by adding thereto the names of John Perry Sinclair, Joseph Perry Sinclair, William Moore, and Francis Yerbury, as having had a right to vote at such Election.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 10° *die Julii*, 1857.

NAMES of the Members called over;—All present.

Room cleared.

The Committee deliberated, and agreed to the following Resolutions:—

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. "That if costs be demanded by either party, under the 11th and 12th Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. "That the Committee expect that with respect to cases of bribery, or offers or promises of money or other valuable consideration, which it is intended to bring home to the Sitting Member, or his Agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. "The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any Principal or Agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. "The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. "That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the Agents whose names shall be handed in, without the special leave of the Committee.

9. "That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. "That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. "That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

12. "That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another."

Parties called in, and informed of the above Resolutions.

The Petition of *Arthur Edwin Way*, the successful Candidate, against the return of *William Tite*, was read.

Counsel for the Petitioner, Mr. *Slade*, Q.C., Mr. *W. H. Cooke*, and Mr. *Rodwell*.

Agents, Messrs. *Baxter*, *Rose* and *Norton*, and Mr. *J. Williams*.

Counsel for the Sitting Member, *William Tite*, Esq., Mr. *Phinn*, Q.C., Mr. *Clerk*, and Mr. *Karslake*.

Agents, Messrs. *Bircham*, *Dalrymple* and *Drake*.

Mr. *Slade* abandoned the allegations of bribery, treating, and undue influence, and opened a case of scrutiny.

The short-hand writer was sworn by the Chairman.

ON THE VOTE OF BENJAMIN BAILEY.

(No. 1718 on Register; voted for ELTON and TITE.)

Objected to on the ground of his vote having been recorded for *Tite* instead of *Way*.

James Richard Naylor, sworn; examined by Mr. *Slade*.

Produced writ and return, and put in 14 poll-books relative to the last election.

Philip George, sworn; examined by Mr. *Slade*.

Produced the register of voters in force at the last election; cross-examined by Mr. *Phinn*.

Benjamin Bailey, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Clerk*.

William Edward Reeves, sworn; examined by Mr. *Slade*.

Mr. *Clerk* abandoned the defence of the vote.

Resolved, "That the vote of Benjamin Bailey be struck off the poll of Mr. *Tite*, and be added to the poll of Mr. *Way*."

ON THE VOTE OF JESSE CORBOULD.

(No. 709 on the Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Jesse Corbould, sworn; examined by Mr. *Slade*.

Mr. *Clerk* abandoned the defence of the vote.

Resolved, "That the vote of Jesse Corbould is a bad vote, and be struck off the poll."

ON THE VOTE OF WILLIAM FRANKS.

(No. 2119 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

William Franks, sworn; examined by Mr. *Slade*.

Resolved, "That the vote of William Franks is a bad vote, and be struck off the poll."

ON THE VOTE OF JOHN PERRY SINCLAIR.

(No. 2870 on Register; tendered for TITE and ELTON.)

Mr. *Clerk* proposed to add the name of the above voter to the poll.

John Perry Sinclair, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

Resolved, "That the vote of John Perry Sinclair is a good vote, and be added to the poll."

ON THE VOTE OF JOSEPH PERRY SINCLAIR.

(No. 2871 on Register; tendered for TITE and ELTON.)

Mr. *Clerk* proposed to add the name of the above voter to the poll.

Mr. *Slade* stated that he offered no objection to the proposal of Mr. *Clerk*.

Resolved, "That the vote of Joseph Perry Sinclair is a good vote, and be added to the poll."

ON THE VOTE OF JOHN SMITH.

(No. 1536 on Register; voted for TITE and ELTON.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Clerk* stated that he would not defend the vote.

Resolved, "That the vote of John Smith is a bad vote, and be struck off the poll."

ON THE VOTE OF FRANCIS DAVIS.

(No. 2015 on Register; voted for TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Clerk* stated that he would not defend the vote.

Resolved, "That the vote of Francis Davis is a bad vote, and be struck off the poll."

ON THE VOTE OF WILLIAM MOORE.

(No. 1442 on Register; tendered for TITE and ELTON.)

Mr. *Clerk* proposed to add the name of the above voter to the poll.

George Binfield Moore, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

Mr. *Slade* stated that he offered no objection to the proposal of Mr. *Clerk*.

Resolved, "That the vote of William Moore is a good vote, and be added to the poll."

ON THE VOTE OF WILLIAM BATCHELOR.

(No. 1740 on Register; tendered for TITE.)

Mr. *Clerk* proposed to add the name of the above voter to the poll of Mr. Tite.

It appeared from the poll-book that the voter voted for Way, and opposite to his name were the words "Afterwards tendered vote for Tite."

William Batchelor, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

Wesley Lovewell, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

In opposition to the vote,

John Pearce, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Clerk*.

Mr. *Slade* was heard against the proposal of Mr. *Clerk*.

Room cleared. The Committee deliberated.

Motion made, and Question proposed, "That the vote of William Batchelor be added to the poll of Mr. Tite" (Sir *H. Verney*).—Question put. The Committee divided:

Ayes, 2.	Noes, 3.
Sir H. Verney.	Lord Galway.
Mr. Horsman.	Mr. Cheetham.
	Mr. Fitzgerald.

Resolved, "That the vote of William Batchelor be not added to the poll of Mr. Tite."

ON THE VOTE OF HENRY HELPS.

(No. 2276 on Register; tendered for TITE.)

Mr. *Clerk* stated that the voter voted for Elton, and also tendered for Tite; but that he was told that he was too late.

Henry Helps, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*; re-examined by Mr. *Clerk*.

William Abraham Cox, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

John Taylor, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

In opposition to the vote,

William Edward Reeves, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Clerk*.

George Watts, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Slade*.

Richard Simmons, sworn; examined by Mr. *Slade*.

Joseph Cleall, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Clerk*.

Mr. *Slade* summed up the evidence against the vote.

Mr. *Clerk* replied in support of the vote.

Resolved, "That the vote of Henry Helps be not added to the poll of Mr. Tite."

The *Chairman* suggested to the Counsel on both sides the propriety of their meeting, and by mutual consent reducing their lists of objections.

Mr. *Slade* and Mr. *Phinn* stated that such a course would be desirable, but applied to the Committee to obtain leave of the House to adjourn till Monday, in order to give the parties time to reduce the lists, in accordance with the suggestion of the Committee.

The Committee acceded to the application.

The *Chairman*, having left the Committee-room, proceeded to the House, and having obtained leave for the Committee to sit this day till five of the clock, during the sitting of the House, moved the House for leave to the Committee to adjourn till Monday next.

Leave having been given accordingly, the Chairman returned to the Committee-room, and informed the parties thereof.

[Adjourned till Monday, at Twelve o'clock.

Lunæ, 13° *die Julii*, 1857.

NAMES of the Members called over;—All present.

ON THE VOTE OF FRANCIS CLARKE.

(No. 43 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Slade* admitted the objection.

Resolved, "That the vote of Francis Clarke is a bad vote, and be struck off the poll."

ON THE VOTE OF WILLIAM SMITH.

(No. 2902 on Register; voted for ELTON and TITE).

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Phinn* admitted the objection.

Resolved, "That the vote of William Smith is a bad vote, and be struck off the poll."

ON THE VOTE OF EDWARD PEARCE.

(No. 231 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 13 July 1856.

Mr. *Phinn* admitted the objection.

Resolved, "That the vote of Edward Pearce is a bad vote, and be struck off the poll."

ON THE VOTE OF THOMAS BRABAZON AYLMER.

(No. 1153 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Slade* admitted the objection.

Resolved, "That the vote of Thomas Brabazon Aylmer is a bad vote, and be struck off the poll."

ON THE VOTE OF WILLIAM REYNOLDS.

(No. 1513 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Slade* admitted the objection.

Resolved, "That the vote of William Reynolds is a bad vote, and be struck off the poll."

ON THE VOTE OF DANIEL BREADMAN.

(No. 1800 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Phinn* admitted the objection.

Resolved, "That the vote of Daniel Breadman is a bad vote, and be struck off the poll.

ON THE VOTE OF SAMUEL GILES.

(No. 2169 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Phinn* admitted the objection.

Resolved, "That the vote of Samuel Giles is a bad vote, and be struck off the poll."

ON THE VOTE OF CHARLES COCKLE.

(No. 48 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Slade* admitted the objection.

Resolved, "That the vote of Charles Cockle is a bad vote, and be struck off the poll."

ON THE VOTE OF JOSEPH WOOD.

(No. 3059 on Register; voted for Mr. WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Mr. *Slade* admitted the objection.

Resolved, "That the vote of Joseph Wood is a bad vote, and be struck off the poll."

ON THE VOTE OF SALVADOR MARCHIONE.

(No. 510 on the Register; voted for ELTON and TITE.)

Objected to on the ground that since 31 July 1856 and the time of voting, he had received parochial relief.

Mr. *Phinn* admitted the objection.

Resolved, "That the vote of Salvador Marchione is a bad vote, and be struck off the poll."

ON THE VOTE OF DANIEL THOMAS GREEN.

(No. 2162 on Register; voted for ELTON and TITE.)

Objected to on the ground of having, since 31 July 1856, and previous to voting, received parochial relief.

Mr. *Phinn* admitted the objection.

Resolved, "That the vote of Daniel Thomas Green is a bad vote, and be struck off the poll."

The

Mr. *Clerk* applied for a rehearing of William Batchelor's case, on the ground that the Committee had cleared the room, and decided on the vote without allowing him to reply in support of the vote.

Mr. *Slade* was heard against the application.

The Committee refused to re-open the case.

ON THE VOTE OF WILLIAM HENRY WALMSLEY.

(No. 315 on the Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Henry Edmund Goodridge, sworn; examined by Mr. *Phinn*.

Mr. *Phinn* was heard against the vote.

Mr. *Slade* was heard in support of the vote.

Mr. *Phinn* applied to the Committee for leave to re-open his case and examine the voter.

Mr. *Slade* objected, as the case on the other side was closed.

The Committee inquired of Mr. *Slade* whether he would not call the voter as his witness.

Mr. *Slade* declined to call the voter.

The Committee allowed Mr. *Phinn* to re-open his case.

William Henry Walmsley, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*; re-examined by Mr. *Phinn*.

Mr. *Slade* was heard on the evidence.

Resolved, "That the vote of William Henry Walmsley is a bad vote, and be struck off the poll."

ON THE VOTE OF EDWARD GERRISH.

(No. 2175 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Mary Lewis, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*.

Thomas Lewis, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Slade*.

Edward Gerrish, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*.

Mr. *Phinn* was heard against the vote.

Mr. *Slade* was heard in support of the vote.

Resolved, "That the vote of Edward Gerrish is a good vote."

ON THE VOTE OF JOHN COOKE.

(No. 1910 on Register; voted for ELTON and WAY.)

Objected to on the ground of non-residence since 31 July 1856.

John Cooke, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Cooke*.

Mr. *Phinn* was heard against the vote.

Mr. *Cooke* was heard in support of the vote.

Room cleared. The Committee deliberated.

Resolved, "That the vote of John Cooke is a good vote."

Parties called in, and informed of the decision of the Committee.

ON THE VOTE OF JESSE STAMP

(No. 1538 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

William Oakley, sworn; examined by Mr. *Clerk*.

Jesse Stamp, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Cooke*.

Mr. *Phinn* was heard against the vote.

Mr. *Cooke* was heard in support of the vote.

Room cleared. The Committee deliberated.

Motion made and question proposed, "That the vote of Jesse Stamp is a good vote," (Mr. *Fitzgerald*). Question put. The Committee divided.

Ayes, 2.	Noes, 3.
Mr. Fitzgerald.	Sir H. Verney.
Lord Galway.	Mr. Horsman.
	Mr. Cheetham.

Resolved, "That the vote of Jesse Stamp is a bad vote, and be struck off the poll."

Parties called in and informed of the decision of the Committee.

ON THE VOTE OF JOHN COLEMAN.

(No. 963 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

John Coleman, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Cooke*.

Mr. *Cooke* was heard against the vote.

Mr. *Phinn* was heard in support of the vote.

Resolved, "That the vote of John Coleman is a good vote."

ON THE VOTE OF EDWIN BARTLETT.

(No. 346 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Edwin Bartlett, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Clerk*.

Mr. *Rodwell* was heard against the vote.

Mr. *Clerk* was heard in support of the vote.

Room cleared. The Committee deliberated.

Resolved, "That the vote of Edwin Bartlett is a bad vote, and be struck off the poll."

Parties called in and informed of the decision of the Committee.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 14° *die Julii*, 1857.

NAMES of the Members called over;—All present.

ON THE VOTE OF CHARLES KING.

(No. 2397 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Charles King, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Slade*.

Mr. *Slade* was heard against the vote.

Mr. *Phinn* was heard in support of the vote.

Resolved,

Resolved, 1. "That the Committee will not inquire into the case of any voter who was not objected to before the Revising Barrister, and in whose qualification to vote there has been no change since his name was placed on the Register.

2. "That the vote of Charles King is a good vote."

Mr. *Clerk* applied to the Committee for leave to examine William Oakley, the Governor of Taunton Gaol, whose evidence was of a formal character, and was for the purpose of proving the identity of three voters, John Crisp, John Clark, and James Parsons, who had been in his custody.

Mr. *Slade* stated that he did not oppose the application.

The Committee granted the application.

William Oakley, further examined by Mr. *Clerk*; cross-examined by Mr. *Slade*; re-examined by Mr. *Clerk*.

ON THE VOTE OF THOMAS PHILLIPS.

(No. 2665 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Thomas Phillips, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Clerk*.

John Barry, sworn; examined by Mr. *Slade*.

Mr. *Slade* was heard against the vote.

Mr. *Clerk* was heard in support of the vote.

Resolved, "That the vote of Thomas Phillips is a good vote."

ON THE VOTE OF JOHN VAUGHAN.

(No. 2993 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

John Barry, further examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Cooke*.

John Henry Flower, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Cooke*.

William Henry Hawkins, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*.

Mary Hawkins, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Slade*.

Isaac Williams, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*.

John Barry, further cross-examined by Mr. *Clerk*.

Mr. *Cooke* was heard against the vote.

Mr. *Clerk* was heard in support of the vote.

Resolved, "That the vote of John Vaughan is a bad vote, and be struck off the poll."

ON THE VOTE OF JOHN CRISP.

(No. 969 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31st July 1856.

John Crisp, sworn; examined by Mr. *Karslake*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Karslake*.

Mr. *Karslake* was heard against the vote.

Mr. *Rodwell* was heard in support of the vote.

Resolved, "That the vote of John Crisp is a good vote."

ON THE VOTE OF JOSEPH WHITE.

(No. 3070 on Register; voted for WAY.)

Objected to on the ground of non-residence since 31 July 1856.

Joseph White, sworn; examined by Mr. *Phinn.*

Mr. *Phinn* abandoned his objection to the vote.

Resolved, "That the vote of Joseph White is a good vote."

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 15° *die Julii,* 1857.

NAMES of the Members called over;—All present.

ON THE VOTE OF JOHN RUSSELL.

(No. 853 on Register; voted for ELTON and WAY.)

Objected to on the ground of having been bribed.

John Fletcher, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Clerk.*

George Philipps, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Clerk.*

Mr. *Rodwell* was heard in support of the vote.

John Russell, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Phinn.*

Rosanna Russell, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Phinn.*

Mr. *Phinn* replied against the vote.

Resolved, "That the vote of John Russell is a good vote."

ON THE VOTE OF ROBERT CHAPMAN.

(No. 1241 on Register; voted for ELTON and WAY.)

Objected to on the ground of having been bribed.

Henry Stoyles, sworn; examined by Mr. *Phinn.*

Mr. *Rodwell* submitted that no case had been made against the vote.

Resolved, "That the vote of Robert Chapman is a good vote."

Mr. *Rodwell* applied for costs under the 11 & 12 Vict. c. 98, sect. 92.

Mr. *Phinn* was heard against the application.

Room cleared. The Committee deliberated.

Motion made and Question proposed, "That the objection to the vote of Robert Chapman is frivolous and vexatious," (Mr. *Fitzgerald*). Question put. The Committee divided.

Ayes, 2.	Noes, 3.
Mr. Fitzgerald.	Sir H. Verney.
Lord Galway.	Mr. Horsman.
	Mr. Cheetham.

Parties called in, and informed, that the Committee will not award costs in this case.

ON THE VOTE OF MARK DUNSCOMBE.

(No. 1276 on Register; voted for ELTON and WAY.)

Objected to on the ground of having been bribed.

Mark Dunscombe, sworn; examined by Mr. *Karslake*.

Charles Moore, sworn; examined by Mr. *Karslake*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Karslake*.

Mr. *Karslake* was heard against the vote.

Mr. *Rodwell* was heard in support of the vote.

Room cleared. The Committee deliberated.

Motion made, and Question proposed, "That the vote of Mark Dunscombe is a bad vote, and be struck off the poll," (Mr. *Cheetham*). Question put. The Committee divided.

Ayes, 3.	Noes, 2.
Mr. Cheetham.	Mr. Fitzgerald.
Mr. Horsman.	Lord Galway.
Sir H. Verney.	

Resolved, "That the vote of Mark Dunscombe is a bad vote, and be struck off the poll."

Parties called in, and informed of the decision of the Committee.

ON THE VOTE OF JAMES DOLPHIN.

(No. 2039 on Register; voted for WAY.)

Objected to on the ground of having promised a bribe.

Mr. *Phinn* applied to the Committee to decide on this vote at the present time, although in a different class; as the same evidence as that given on the vote of Mark Dunscombe applied to this case.

Mr. *Rodwell* offered no objection to this course.

The evidence given in the case of the vote of Mark Dunscombe was read.

Mark Dunscombe, recalled; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Karslake*.

In support of the vote,

John Broad, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Phinn*.

Joseph Kilvert Bartrum, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Phinn*.

Mr. *Rodwell* was heard in support of the vote.

Mr. *Karslake* replied on the whole case against the vot.

Room cleared. The Committee deliberated.

Motion made, and Question proposed, "That the vote of James Dolphin is a bad vote, and be struck off the poll," (Mr. *Cheetham*). Question put. The Committee divided.

Ayes, 3.	Noes, 2.
Mr. Cheetham.	Lord Galway.
Mr. Horsman.	Mr. Fitzgerald.
Sir H. Verney.	

Resolved, "That the vote of James Dolphin is a bad vote, and be struck off the poll."

Parties called in, and informed of the above decision.

[Adjourned till To-morrow, at Eleven o'clock.

Jovis, 16° *die Julii*, 1857.

NAMES of the Members called over;—All present.

ON THE VOTE OF ABRAHAM JAMES.

(No. 2379 on Register; voted for ELTON and TITE.)

Objected to on the ground of non-residence since 31 July 1856.

Abraham James, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Cooke*.

Mr. *Cooke* was heard against the vote.

Mr. *Clerk* was heard in support of the vote.

Room cleared. The Committee deliberated.

Motion made, and Question proposed, "That as no change of circumstances has been proved to have occurred since this vote was put on the Register, the Committee cannot now inquire into it," (Mr. *Horsman*). Question put. The Committee deliberated.

Ayes, 3.	Noes, 2.
Sir H. Verney.	Lord Galway.
Mr. Cheetham.	Mr. Fitzgerald.
Mr. Horsman.	

Resolved, "That as no change of circumstances has been proved to have occurred since this vote was put on the Register, the Committee cannot now inquire into it."

Resolved, "That the vote of Abraham James is a good vote."

ON THE VOTE OF JOHN LEWIS.

(No. 1401 on Register; voted for ELTON and TITE.)

Objected to on the ground of having promised and given a bribe.

Salvador Marchione, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Phinn* re-examined by Mr. *Cooke*.

Mr. *Cooke* abandoned his objection to the vote.

Resolved, "That the vote of John Lewis is a good vote."

ON THE VOTE OF FRANCIS YERBURY.

(No. 3142 on Register; tendered for WAY.)

Francis Yerbury, sworn; examined by Mr. *Cooke*.

Resolved, "That the vote of Francis Yerbury is a good vote, and be added to the poll."

ON THE VOTE OF HENRY ELEAZAR ROBINSON.

(No. 2762 on Register as Henry Robinson; tendered for WAY and ELTON.)

Henry Eleazar Robinson, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Cooke*.

Alban Huddleston English, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Karslake*.

In opposition to the vote,

Henry Slade Kirby, sworn; examined by Mr. *Karslake*; cross-examined by Mr. *Cooke*.

[Adjourned till To-morrow, at Eleven o'clock.

Veneris, 17° *die Julii*, 1857.

NAMES of the Members called over;—All present.

Charles Billington, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Clerk*.

Mr. *Clerk* stated that he had concluded his evidence against the vote.

Mr. *Cooke* applied to the Committee to be allowed to call the poll-clerk.

Mr. *Clerk* opposed the application.

Room cleared. The Committee deliberated.

Parties called in, and informed that the Committee have determined to call the poll-clerk, and to take his examination into their own hands.

Benjamin Brooks Sparrow, sworn; examined by the Committee.

Mr. *Clerk* was heard against the vote.

Mr. *Cooke* was heard in support of the vote.

Room cleared. The Committee deliberated.

Motion made, and Question proposed, "That the vote of Henry Eleazar Robinson is a good vote, and be added to the poll," (Lord *Galway*). Question put. The Committee divided.

Ayes, 2.	Noes, 3.
Lord Galway.	Sir H. Verney.
Mr. Fitzgerald.	Mr. Horsman.
	Mr. Cheetham.

Resolved, "That the vote of Henry Eleazar Robinson be not added to the poll."

Parties called in, and informed of the decision of the Committee.

ON THE VOTE OF JAMES LESTER.

(No. 2496 on Register; voted for ELTON and TITE.)

Objected to on the ground that he was guilty of undue influence.

Joseph Cleall, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*; re-examined by Mr. *Cooke*.

William Cambridge, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Clerk*.

Resolved, "That the vote of James Lester is a good vote."

ON THE VOTE OF HENRY BRIGHT.

(No. 930 on Register; voted for ELTON and TITE.)

Objected to, on the ground that he was improperly inserted on the Register by the express decision of the revising barrister; that at the time of the revision he had not occupied, as owner or tenant, any sufficient qualification to be registered; that he had not occupied such qualification for a period of 12 calendar months previous to 31 July 1856; that he had not been duly rated during the whole of the 12 months next preceding the said revision to the relief of the poor in respect of the premises for which he was registered, and had not before the 20th July 1856 paid all poor-rates and taxes due and payable from him in respect of the premises for which he was registered previously to the 5th January 1856.

Mr. *Slade* was proceeding to state his case against this vote, when the Chairman inquired whether this case did not fall within the resolution of the Committee of the 14th of July.

Mr. *Slade* submitted that the resolution referred to was not applicable to this vote.

Mr. *Phinn* contended that this vote clearly came within the resolution of the 14th July, and that it was not competent to the Counsel for the Petitioner to support his objection to the vote.

Room cleared. The Committee deliberated.

Motion made, and question proposed, "That the resolution of the Committee of the 14th July, viz., 'That the Committee will not inquire into the case of any voter who was not

objected to before the revising barrister, and in whose qualification to vote there has been no change since his name was placed on the register,' shall be held to preclude inquiry into the case of those parties who have claimed to be inserted in the list of voters, and whose names were so inserted by the revising barrister in such list," (Mr. *Cheetham*). Question put. The Committee divided:

Ayes, 3.	Noes, 2.
Mr. Cheetham.	Lord Galway.
Mr. Horsman.	Mr. Fitzgerald.
Sir H. Verney.	

Resolved, "That the resolution of the Committee of the 14th July, viz., 'That the Committee will not inquire into the case of any voter who was not objected to before the revising barrister, and in whose qualification to vote there has been no change since his name was placed on the register,' shall be held to preclude inquiry into the case of those parties who have claimed to be inserted in the list of voters, and whose names were so inserted by the revising barrister in such list."

Parties called in, and informed of the above resolution.

Mr. *Slade* stated that he should not further continue the scrutiny.

Resolved, "That the vote of Henry Bright is a good vote."

The numbers on the poll were now equal.

ON THE VOTE OF GEORGE LEWIS.

(No. 1407 on Register; voted for WAY.)

Objected to on the ground that his vote was improperly recorded in his absence from the booth, and that at the time his vote was entered in the poll book he was not present in or near to the said booth.

Mr. *Slade* admitted the objection.

Resolved, "That the vote of George Lewis is a bad vote, and be struck off the poll."

Room cleared. The Committee deliberated, and agreed to the following resolutions:

1. "That William Tite, Esq., is duly elected a citizen to serve in this present Parliament for the City of Bath.

2. "That it was proved to the Committee, that Mark Dunscombe was bribed by James Dolphin, by a promise of employment, to vote in favour of Arthur Edwin Way, Esq., but that it was not proved that such bribery was committed with the knowledge and consent of the said Arthur Edwin Way, Esq.

3. "That the Committee had altered the poll taken at the last Election for the City of Perth, by striking off the names of Jesse Corbould, William Franks, John Smith, Francis Davis, Francis Clarke, William Smith, Edward Pearce, Thomas Brabazon Aylmer, William Reynolds, Daniel Breadman, Samuel Giles, Charles Cockle, Joseph Wood, Salvador Marchione, Daniel Thomas Green, William Henry Walmsley, Jesse Stamp, Edwin Bartlett, John Vaughan, Mark Dunscombe, James Dolphin, and George Lewis, as not having had a right to vote at such Election; and had also altered the poll, by striking off the name of Benjamin Bailey from the votes given for William Tite, Esq., and by adding it to the votes given for Arthur Edwin Way, Esq.; and had also altered the poll by adding thereto the names of John Perry Sinclair, Joseph Perry Sinclair, William Moore, and Francis Yerbury, as having had a right to vote at such Election."

Ordered, to report the foregoing Resolutions to the House.

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MINUTES OF EVIDENCE.

Veneris, 10° *die Julii*, 1857.

MEMBERS PRESENT.

Mr. John Cheetham.	Viscount Galway.
Mr. William Seymour Fitzgerald.	Sir Harry Verney.

THE RIGHT HON. EDWARD HORSMAN, IN THE CHAIR.

THE Committee agreed to certain Resolutions with regard to the conduct of the case.

The Petition of *Arthur Edwin Way*, Esq., complaining of an undue Election and Return for the City of Bath, was read.

Counsel for the Petitioners, Mr. *Slade*, Q. C., Mr. *W. H. Cooke*, and Mr. *Rodwell*.

Agents, Messrs. *Baxter*, *Rose*, and *Norton*, Mr. *J. Williams*.

Counsel for the Sitting Member, Mr. *Phinn*, Q. C., Mr. *Clerk*, and Mr. *Karslake*.

Agents, Messrs. *Bircham*, *Dalrymple*, and *Drake*.

Mr. *Slade* was heard to open a case of Scrutiny on behalf of the Petitioner.

ON THE VOTE OF BENJAMIN BAILEY.

Mr. *Slade* proposed to strike out the Vote of Benjamin Bailey as having Voted for the Sitting Member, and to add his Vote to the Votes for the Petitioner.

Mr. *James Richard Naylor*, was called in, and having been sworn, was Examined by Mr. *Slade*, as follows :

Mr. *J. R. Naylor*.
10 July 1857.

1. YOU are the Chief Clerk in the Crown Office?—I am.
2. Do you produce the return?—I produce the writ and the return for Bath, and also the poll-books. (*The Witness produced the several documents.*)

Mr. *Phillip George* was called in, and having been sworn, was Examined by Mr. *Slade*; as follows :

Mr. *P. George*.

3. YOU are the Town Clerk, I believe, of the City of Bath?—I am.
4. Do you produce the register of voters, which was in force at the last election?—I do.
5. Hand it in, if you please. (*The Witness did so.*)
6. Is that register compiled from the list sent in to you by the revising barrister?—It is.

Mr. *P. George.*

10 July 1857.

7. Have you the original list?—I have, as revised by Mr. Coleridge.

8. What do your lists consist of?—The parish of St. James, the list of the freemen of the parish of St. Peter and St. Paul, St. Michael Bathwick, Lincombe, Whitcombe and Walcot.

9. I see you have only a list there; have you got any claims?—No, they are not left in my office; they are left with the revising barrister; I do not know what became of them.

10. What became of the lists of objections?—They are not returned to me.

11. He has returned you a list, has he not, in which the names he has determined on expunging are expunged, and in which the names of those he has decided to insert are inserted?—Yes.

12. Hand them in, if you please. (*The Witness delivered in the documents referred to.*)

13. Just turn, if you please, to your register, and look to No. 1,718?—I find the name of Benjamin Bailey, No. 7, Albion-place.

Cross-examined by Mr. *Phinn.*

14. Did you attend the last revision?—I was there for a short time; I did not attend the whole time; I attended merely to deliver in my lists, and to receive them, when they were returned to me by the revising barrister.

15. You know that the revision was very short last time; do you not?—Yes.

16. It only lasted an hour or two, I believe?—Yes.

17. Were there any objections?—Yes.

Benjamin Bailey, called and sworn; Examined by Mr. *Slade.*

B. Bailey.

18. YOU are a Baker?—Yes.

19. At the last election for Bath you had a vote, had you not?—Yes.

20. Previous to the day of the election, had you made up your mind for whom you would vote?—Yes.

21. And had you promised your vote?—Yes, I had.

22. Who had you promised to vote for?—I had made up my mind before; the Liberal parties had come to me the night before, and I told them of it.

23. What did you tell them?—I told them that I had made up my mind; that I should vote for Way and Elton.

24. Did you go up to the booth allotted to your division of voters in Walcot; No. 2 booth?—I went home to my dinner.

25. Confine yourself, if you please, to answering my questions; I will only put such questions as are necessary; on the day of the election, did you go to vote?—Yes.

26. And did you vote at No. 2 booth?—Yes.

27. About what time in the day was that?—About three o'clock.

28. For whom did you vote?—For Way and Elton.

29. Had you had Mr. Way's card given to you?—Yes.

30. And had you also had the card of Sir Arthur Elton given to you, in which the name of Mr. Tite was inserted?—Yes.

31. Do you know a man called Davis?—Yes.

32. Before you voted, did you go with him to Mr. Way's committee-room?—Yes.

33. And was anything done with the card upon which the names of Elton and Tite were?—Yes.

34. Tell the Committee what was done with it?—Mr. Tite's name was scratched out.

35. How was it scratched out?—With a pen and ink, right across, so that no person could see the name of Tite upon it.

36. It was scratched out with a pen?—Yes.

37. Marked across it?—Yes.

38. Did you, when you voted, hand in those cards?—Yes.

39. Which did you hand in first?—Mr. Way's card.

40. And then did you hand in the other card?—I handed in Mr. Elton's card,

B. Bailey.

10 July 1857.

card, and they gave me back Mr. Elton's card, and kept Mr. Way's card; they told me they did not want the other.

41. But before you handed in those cards, had you declared who you voted for?—Yes.

42. Way and Elton?—Yes.

43. When did you first discover, or when was it first told you, that your vote was not entered for Way?—I do not know on what day it was.

44. Who was the gentleman who told you?—Mr. Davison, Mr. Williams' clerk, came to me, and told me; he asked me who I had voted for; I said I voted for Mr. Way and Elton, and they said there was a mistake somewhere. "Well," I said, "I voted for those two gentlemen." That is who I voted for.

Cross-examined by Mr. *Phinn.*

45. I suppose you said aloud in the booth who you voted for?—I did.

46. And you gave out two names?—Yes; I did.

47. Was there anybody in the booth, polling, at the same time that you went there?—Yes.

48. How many?—Well, I do not recollect how many was in there.

49. Were there two divisions to the booth; were there two places where you voted at that booth?—I went and stood up in front of a rail.

50. Was there anybody standing by you when you voted?—Yes.

51. Who was that?—Mr. Davis was with me.

52. Did he vote at the same time?—No; I do not know when he voted.

53. You say, or you were going to say, that you had had your dinner?—I had had my dinner.

54. What time did you have your dinner?—I went home about two o'clock, and when I had had my dinner it was getting on for three o'clock, and I went out to give my vote, and as I was going there I turned round and saw Mr. Davis coming along the road.

55. Did you have your dinner at your own house?—Yes.

56. Had you any beer that day at dinner?—No.

57. No beer at all?—No.

58. What had you had then; had you had nothing to drink?—No; I very seldom take anything at all with my dinner.

59. The booth was quite quiet, was it not when you voted?—Yes; it was very quiet.

Examined by the *Committee.*

60. I understand you to say, you mentioned the names of the candidates you voted for?—Yes; they asked me, "Who do you vote for?" and I said, "Way and Elton;" and I gave in Mr. Way's card, and then handed in Mr. Elton's card, and they told me they did not want that card, and gave it me back again.

61. Is it the usual system at Bath to give a card when you give in your vote?—That I do not know.

62. Had you ever voted before at Bath?—No.

63. What countryman are you?—I am a Wiltshire man.

64. Was there any other name upon Way's card but the name of Way?—No.

65. Can we see the card?—Yes.

66. Was Elton's name on the same card as Way's?—No.

67. Mr. *Slade.*] Elton and Tite together?—Yes.

68. *Committee.*] Could we see the card?—Yes; the clerk has it.

69. You say you intended to vote for Way and Elton?—Yes.

70. Had you Elton's card?—Elton and Tite were together on one card.

71. Had you that card with you at the time?—Yes.

72. Did you hand that in?—I handed that card in, and they handed it back to me, and told me the other was sufficient; that they only wanted to see my number.

73. You have not got Elton and Tite's card?—No.

74. You say you sent in Way's card; did you bring out of the booth Elton and Tite's?—Yes, I did.

75. You brought it with you?—Yes, and only left Way's behind.

 76. What

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76. What did you do with the other card?—A traveller at the house wrote my address on it.

77. Upon that second card were there the names of Elton and Tite?—Yes.

78. Did you scratch either of them out?—Mr. Davis scratched them out. I asked him to go to Mr. Way's committee-room. I said, "Please scratch out the name, that I may make no mistake." I stood at his side as he did it.

79. When it was scratched out, what name remained upon it?—Elton.

80. When you gave in these cards, did you see the poll-clerk writing anything in the book?—He took down my name.

81. Did you hear him repeat the name of any candidate?—No. As I called my name they wrote my name in the book.

82. Are you sure?—Yes. I gave Mr. Way's card, and they took the number, and saw my name and number on the card.

83. Did they write your name or not?—Yes, in Mr. Way's book.

84. Are you sure they wrote your name?—Yes.

85. You saw them do it?—Yes.

86. Your christian name as well as your surname?—Yes, they wrote it down in a book.

87. Do you know who gave you back the card?—I do not know the gentleman's name, but Mr. Davis may know the name of the gentleman who gave it to me.

88. And you considered that it was given back to you because it was not the name of the person you intended to vote for?—They gave me back that card, and said, "We do not want that card."

89. Do I understand you to say that you saw the poll-clerk write your name as having voted for Mr. Way?—I saw him write my name in a book.

90. You heard no name of any candidate mentioned by the poll-clerk?—No more than when I said I voted for Mr. Way and Elton they wrote my name down.

91. When you had given your vote, did any party connected with the candidates for whom you had voted thank you for your vote; is that the custom in Bath?—I do not know.

92. Did anybody thank you on Mr. Way's part?—No, I never heard either of them thank me.

[The Witness withdrew.

William Edward Reeves was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

W. E. Reeves.

93. YOU were at Bath at the last election, and were employed as poll-clerk for Mr. Way, were you not?—Yes.

94. At booth No. 2, Walcot?—Yes.

95. Do you know Benjamin Bailey?—I do.

96. Do you remember Benjamin Bailey voting?—Yes.

97. Was it your duty to record the votes as they were given in by the voters?—Yes.

98. In the first place, I will ask you who did Bailey vote for?—Way and Elton.

99. Did you record him in your book as voter for Way and Elton?—I did.

100. Produce it, if you please?—(*The Witness did so.*)

101. After the election, I believe you added up the votes?—I did.

102. Did you find that there was a difference between the return that your addition made and that of the mayor?—I did.

103. What was the difference; was it one?—I found that there was one more on my side for Way.

104. One more than the mayor had given him?—Exactly.

105. I believe you thereupon made inquiry, and ascertained how the mistake was, did you not?—No.

106. When did you discover it?—I did not discover it at all; I was told of it; this individual vote.

107. When was that?—I cannot exactly say.

108. Was it when the lists came to be compared?—I cannot say when I heard it.

109. I believe there was considerable doubt at one time who had got the majority?—Yes, there was.

110. And

110. And that induced you to add up very carefully the votes you had got recorded for Way?—Yes; after the election was over, I went over all the votes with my check clerk.

111. You had a check clerk?—Yes.

112. What was his name?—Richard Simons.

113. Do you produce a card?—Yes (*producing it*).

114. Did you see a card handed in by Bailey?—I did.

115. Did you see him hand in two?—No; he handed this one in, and kept the other in his hand.

116. When did you find that?—After the election was over, I swept them up, and asked if they were of any use. I thought they would be useful to me for directions. I took them home, and yesterday morning I searched amongst them and found this card.

117. Just read the card?—"Bath Election: Parish of Walcot. Number on the Register, 1718; Name, Mr. Benjamin Bailey; Qualification, 7, Albion-place. Vote for Way." This is Mr. Way's card; it was sent in to copy the number from.

118. The number on the register?—Yes, he handed it to the returning officer.

119. That card you say you found in the poll-booth?—Yes.

120. And you took it away with others, to serve you for direction cards?—Exactly.

121. Not with reference to this inquiry?—Not at all; I did not know that I had it by me.

122. You did not know that you had it by you until yesterday morning, when looking over your cards you found this very one?—Yes; it was the first I put my hand on.

Cross-examined by Mr. *Clerk*.

123. You know that cards were handed in, for the purpose of showing the names and numbers of the voters?—Yes.

124. Did you see Bailey afterwards tender another card?—He did not; he held it in his hand.

125. You are quite sure that two cards were not given in to the poll-clerk?—Yes.

126. Were you sitting close to the mayor's poll-clerk?—I was.

127. By his side?—Yes.

128. Did you look over him as he recorded the votes?—I did not.

129. Were you not placed there for that purpose?—No.

130. You were placed there by Mr. Way, were you not?—Yes.

131. How many persons had he to act at that booth?—Myself and a check-clerk.

132. Was it not your duty, as poll-clerk, to look over him, and see that he recorded the votes correctly?—No.

133. Do you mean to say that you did not look?—I did not look.

134. Were you ever a poll-clerk before?—Yes.

135. *Committee.*] You did not take his name down after he declared who he voted for, but before?—Yes.

136. When he came up?—Yes. He was asked, "For whom do you vote?" and he said, "Way and Elton;" and then, when he said that, I made my marks in my book to show for whom he voted.

137. You did not write his name down then, but before he came?—Directly he came.

138. The voter could see you write his name down, could he not?—If he looked, I suppose he could.

139. All you did, after he said for whom he voted, was to make the marks in your book?—Yes.

140. You did not write his name then?—I wrote his name directly he gave it.

Vote struck off the poll of Mr. Tite, and added to the poll of Mr. Way.

ON THE VOTE OF JESSE CORBOULD.

Jesse Corbould was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

J. Corbould.

10 July 1857.

141. YOU voted at the last election, did you not?—Yes.

142. Did you vote for Mr. Tite and Sir Arthur Elton?—Yes.

143. Where were you living when you went down to vote?—I was living in London.

144. Are you a married man?—Yes.

145. Were you living there with your wife and family?—Yes.

146. You are on the list qualified for 37, Broad-street, Bath?—Yes.

147. Is that a house?—Yes.

148. Were you occupying that house when you were put upon the register?—Yes.

149. As owner or as tenant?—As owner, at least as tenant of the house.

150. That is not owner; what rent were you paying for it?—£. 60. that year.

151. At what time did you give up that house, and leave Bath, to come to London?—On the 29th of September.

152. Last?—Last.

153. Who did you give the house up to, to your landlord there?—Yes.

154. Have you any residence in Bath now?—No.

155. Have you had any residence in Bath since the 29th of September?—No.

Mr. *Clerk* stated that he would not attempt to sustain this vote.

Vote struck off.

ON THE VOTE OF WILLIAM FRANKS.

William Franks was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows.

W. Franks.

156. WHERE are you now residing?—At Brynmaur.

157. Is that in Monmouthshire?—Yes.

158. What are you by trade?—A butcher.

159. You were on the register of voters for Bath at the last election, were you not?—Yes.

160. Did you vote?—Yes.

161. Who did you vote for?—For Tite and Elton.

162. When did you go to live at Brynmaur?—Some time in August.

163. August last?—Yes.

164. This place in Bath, which you occupied, was it at number 17, Somerset Buildings?—Yes.

165. Was that a house?—Yes.

166. Were you owner or tenant?—Tenant.

167. What rent did you pay for it?—£. 30 a year.

168. Did you give it up to your landlord, when you went to Brynmaur?—Not to the landlord, but to Mr. Hooper.

169. Who was he?—An auctioneer.

170. Is he the landlord's agent?—Yes.

171. Have you had any residence in Bath since you left to go to Brynmaur?—No.

Mr. *Clerk* stated that he would not seek to support this vote; Vote struck off.

ON THE VOTE OF JOHN PERRY SINCLAIR.

Mr. *Clerk* proposed to add the vote of John Perry Sinclair to the votes given for the Sitting Member, on the ground that his vote, though tendered, had been improperly rejected.

Mr. *John Perry Sinclair* was called in; and having been sworn, was Examined by Mr. *Clerk*, as follows:

Mr. *J. P. Sinclair.*

10 July 1857.

172. WHERE do you reside?—I reside at 21, Walcot Buildings.

173. Bath?—Bath.

174. Who is Mr. Joseph Perry Sinclair?—My brother.

175. Does he reside at number 20, Walcot Buildings, Bath?—At number 20.

176. I suppose it may be taken that those houses are next door to one another?—Yes.

177. At the last election, did you go to the polling-booth for your district and tender your vote?—I did, and it was taken.

178. Did you see your name written down?—Yes.

179. It appears to have been tendered for Tite and Elton?—Yes.

180. You tendered your vote for them?—Yes.

181. What took place when you tendered your vote; were you asked any question?—The gentleman that wrote it down said there was a mistake in the number of the houses; one said to the other, "We can soon rectify that; it is only a mistake; we put down the wrong numbers."

182. Did you think your vote was recorded?—Certainly.

183. And did you then leave the polling-booth?—Yes, that was all that took place.

184. That was all that passed?—Yes, nothing more than that; the fact was, they reversed the numbers.

185. You live at No. 21?—Twenty-one.

186. Have you lived there long?—Yes, for 20 years.

Cross-examined by Mr. *Slade.*

187. Did not the gentleman ask you if you were the same person whose name appeared on the register of voters as of No. 20, Walcot buildings, Bath?—Did he what?

188. Did he not ask you, "Are you the same person whose name appears as John Perry Sinclair, of No. 20, Walcot-buildings, Bath?"—Well, all the persons there knew that I was John Sinclair.

189. Will you answer my question; did the gentleman who was in the booth ask you, "Are you the same person whose name appears as John Perry Sinclair, No. 20, Walcot-buildings, Bath?"—Well, I think there was one gentleman said so; asked me that question.

190. And did you not say "No"?—No, not I.

191. You were not, you know, John Perry Sinclair, of No. 20?—Of No. 20?

192. Yes?—I do not recollect any one saying that.

193. What did they say to you?—As soon as they discovered that there was a mistake in the numbers?

194. Before that, were you not asked the question, "Are you the same person whose name appears as John Perry Sinclair, of No. 20;" and was it not that that led to the discovery of the mistake in the numbers, upon your answering the question "No"?—Yes, with regard to 20, you know.

195. You were asked, "Are you the same person whose name appears as John Perry Sinclair, No. 20?" and you said "No"?—Yes, there was one, I cannot say which it was, asked me that question; every one knew I was John Perry Sinclair.

196. But you answered the question, and said, did you not, that you were not John Perry Sinclair, of No. 20, but John Perry Sinclair, of No. 21?—Yes.

197. You told them that?—Yes.

Mr. *J. P. Sinclair.*

10 July 1857.

198. And then they did not put your name down, but you merely tendered your vote?—Yes, my vote was taken.

199. Taken in a way?—Yes.

200. It was not added up?—I cannot tell whether they added it up or no.

201. You do not know?—No, it was as I thought taken as much as any one's, and there is not a better vote anywhere, I know; you ask any one, and they will tell you the same.

Re-examined by Mr. *Clerk*.

202. They asked you, "Are you John Perry Sinclair, of number 21"?—Well, one gentleman made that observation, and I said, Yes; but still, as I said before, everybody knew who I was.

203. Did you then explain to them that there was a mistake in the number?—I did not explain, for they all seemed to know it.

204. And they talked about it?—Yes, they talked about it, and rectified it.

Vote added.

ON THE VOTE OF JOSEPH PERRY SINCLAIR,

Mr. *Clerk* proposed to add the vote of Joseph Perry Sinclair to the votes given for the Sitting Member, on the ground that his vote though tendered, had been improperly rejected.

Mr. *Slade* stated that after the decision in the preceding case, he would not oppose the adding of this vote to the votes given for the Sitting Member.

Vote added.

ON THE VOTE OF JOHN SMITH.

Mr. *Slade* proposed to strike out this vote given for the Sitting Member.

Mr. *Clerk* stated that he could not support the vote.

Vote struck off.

ON THE VOTE OF FRANCIS DAVIS.

Mr. *Slade* proposed to strike out this vote given for the Sitting Member.

Mr. *Clerk* stated that he could not support the vote.

Vote struck off.

ON THE VOTE OF WILLIAM MOORE.

Mr. *Clerk* proposed to add this vote to the votes given for the Sitting Member.

George Bingfield Moore, was called in, and having been sworn, was Examined by Mr. *Clerk*, as follows:

G. B. Moore.

205. YOU reside at St. Mary's Buildings, Bath?—I do.

206. Have you lived there long?—Three years come Michaelmas.

207. Is there any person of the name of William Moore, resident in St. Mary's Buildings?—None at all.

208. At the last election, did you go to the poll-booth for St. Mary's Buildings and tender your vote?—I did.

209. For Elton and Tite?—I did.

210. Did

210. Did you see your name written down in a book?—I did.

211. When your name was written down, did the poll-clerk refer to the register?—He did.

212. On the register, I believe the name of William Moore appeared?—It did.

213. Did he say anything to you upon finding that the name was William?—Yes.

214. What did he say?—He said I had better poll in the name that was put down on the book. I said that that was not my name; that there was some error in the printing; but that as I was a cabinet-maker and had lived at No. 9, St. Mary's-buildings for three years, I was the person intended by William Moore.

215. *Committee.*] You stated that to the poll-clerk?—I did.

216. Mr. *Clerk.*] Did you see whether he did anything after that?—He made some mark in the book, but I was too far distant to see what was done; and he referred to a person who sat close by him.

217. Did you tell him that you were the person intended to be registered?—I did.

Cross-examined by Mr. *Slade.*

218. How do you know that?—On this ground, that there was no one else.

219. How do you know who the overseers intended to put on the register; he certainly intended to put William Moore on the register?—No person of the name of Moore ever occupied that house since it was built.

220. Did you claim to be put on when you found that your name was off the list?—I did not know that it was off the list until six weeks ago, when somebody called and told me that my name was not taken.

221. I am afraid that you do not look at the list when you go to church?—I do not go to church.

222. You go to chapel, I suppose?—I do.

223. Did you look at the lists at the chapel?—I never troubled myself about them.

224. I suppose that if you had taken the trouble to look at the list, you would have found that your name was not there; William is not much like George Binfield?—No; but if there had been 20 lists on the church or chapel door, I should not have looked at them. I felt so little interest in it, that I should not have troubled myself to look.

Examined by the *Committee.*

225. Have you any son of the name of William?—No.

226. Is there any one resident in the house of the name of William?—No.

227. You live at No. 9, Saint Mary's-buildings?—Yes.

228. Was William Moore entered as of No. 9?—Yes, No. 9.

229. How many houses are there in St. Mary's-buildings?—Nine.

230. Are you certain that there is no other Moore in those buildings?—I am certain. I have known every householder there for the last three years.

231. Are you a cabinet-maker?—Yes, and so I stand on the register. I am there described as a cabinet-maker, of No. 9, St. Mary's-buildings.

232. Who told you that your vote had not been taken?—I do not know; he lived in the next street; he was one of Mr. Way's party.

233. Did you ever see your name on the register as bad?—No; and I made the remark this morning that I thought I ought to have voted for Mr. Tite when he first put up, but the gentleman said, "Your name is not on."

234. When was your name put on?—I do not know.

Vote added.

ON THE VOTE OF WILLIAM BATCHELOR.

Mr *Clerk* proposed to add this vote to the votes given for the Sitting Member.

William Batchelor was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

W. Batchelor.

10 July 1857.

235. DO you live at No. 1, Nelson-place, Bath?—Yes.

236. You are a butcher, I believe?—Yes.

237. Did you go to the polling-booth at Walcot to vote at the last election?—I did.

238. No. 5 polling-booth?—I do not know the number; I went to where I was directed.

239. For whom did you go to vote?—For Mr. Way and Mr. Tite.

240. When you went to the booth, will you tell us what passed; had you a card with you?—I had not a card with me, but they looked out my number.

241. Did they write it down in a book?—I believe so.

242. Did they then ask you anything?—They asked me who I voted for.

243. Was your name given?—I gave my name.

244. Did they not ask your name?—Certainly.

245. Then they asked you who you voted for?—Yes.

246. Do you recollect whether they asked you where you resided?—Yes, they asked me my number, I think.

247. Tell us what passed; they asked you your number, and what then?—I am not quite clear about that. I do not remember all the particulars. They asked me, I suppose, the usual questions that they ask voters.

248. Did they then ask you for whom you voted?—Yes.

249. What did you say?—I said, "Way."

250. What did you do then?—When they had recorded that, I said, "Tite."

251. Where were you when you said that?—At the same place as I was when I said, "Way."

252. Was your hand still upon the rail?—It was still upon the rail.

253. In what direction were you looking after you said, "Way?"—I was looking at the clerk that was entering it.

254. Had anybody spoken to you between the time when you said "Way," and when you added "Tite"?—No one at all; there was no voter in the place but myself at the time.

255. When you added Mr. Tite's name, what did the clerk say?—He turned round to the person that was sitting behind him, and said, "We cannot take that vote."

256. Did he say why?—I remonstrated against it; and they said that the Act of Parliament was such that when one vote was recorded the other could not be taken. Those are the words as nearly as I can remember.

257. And they refused to record your vote for Mr. Tite?—Yes, and refused to record it on that ground. I then protested against it, as not being according to my intention and purpose.

258. When you gave Mr. Way's name to the poll-clerk, did you intend to add any other name as soon as the name of "Way" was written down?—Most certainly.

Cross-examined by Mr. *Slade*.

259. Then it was not as my friend, in stating the case, said it was, because you spoke very deliberately, and that you made a pause between the names of Way and Tite, was it?—My impression was, that one vote was taken at a time; I did say "Way" and "Tite."

260. Did you ever vote before?—Yes.

261. How often have you voted at Bath?—I do not know at this moment; my memory does not serve me. I have voted before some two or three times perhaps.

262. You voted for Mr. Phinn?—I do not remember.

263. Do you always, when you go up to vote, make a pause; when they say, "who

" who do you vote for," and you say " Way," do you then wait whilst it is entered' and then say " Tite ;" do you always pause ; is that your way of voting ?—I do not remember what I have done on previous occasions ; I did so then, and I was not aware that there was any informality in it. If I had been aware that I ought to have said Way and Tite together, I should have said so. *W. Batchelor.* 10 July 1857.

264. *Committee.*] How long was the pause ?—It might have been half a minute or a minute.

265. Mr. *Slade.*] Or perhaps a minute and a half ?—No ; it was not so long as that ; it was only whilst the clerk made the entry.

Examined by the *Committee.*

266. Do you mean to say you think you paused a minute ?—I cannot say ; it seemed momentary altogether.

267. What made you pause at all ; were you nervous ?—No ; I thought that one vote at a time should be recorded ; I had no idea that I was obliged to say the two names together.

268. You say you paused between the two names, thinking that you ought not to give the second name until the first was recorded ; did you watch the poll-clerk writing down the first vote ?—Yes.

269. How soon after he had finished writing that first vote did you give the second name ?—Immediately.

270. As soon as you found the first name entered you added the second name ?—Yes.

271. If he had been longer in recording that first vote, you would have waited longer ?—I waited until he had recorded the first vote.

272. Had you any card in your possession ?—No

273. You did not give both names at the same time ?—No ; but my intention was to vote, and I did vote, according to the best of my knowledge, for Way and Tite.

274. Had you promised the parties beforehand ?—I had not promised either party.

275. Did any one make any observation to you when you had given the name of Way ?—No one at all.

276. Did no one say, " I thank you," on the part of Mr. Way ?—I am not aware. Some one thanked me on the part of Mr. Tite ; they might have thanked me on the part of Mr. Way also. I think it very likely, but I did not observe it

[The Witness withdrew.

Mr. *Wesley Lovewell* was called in ; and, having been sworn, was Examined by Mr. *Clerk*, as follows :

277. WERE you the check-clerk at No. 5 booth, Walcot, at the last election ?—Yes. *Mr. W. Lovewell.*

278. Do you know Mr. William Batchelor ?—Yes.

279. Did you see him come to vote ?—Yes.

280. Where was he standing when he voted ?—He was standing in the front of the rail, with his hand upon the rail.

281. Was he asked for whom he voted ?—Yes.

282. What name did he give first ?—" Way."

283. Did he afterwards give another name ?—Yes.

284. What name was that ?—" Tite."

285. Did he move from the rail where he was standing between the time that he gave the first name of " Way" and the time when he added " Tite" ?—He did not move.

286. Did you speak to him ?—Between the time ?

287. Yes ?—I do not remember that any one did.

288. Was there any one voting at the time ?—No one.

289. How long was it after he gave the name of " Way " before he gave the name of " Tite" ?—I should say about a minute ; I cannot say nearer than that.

290. Did you see the clerk mark the vote for Way ?—Yes.

291. When that was done did he add the word " Tite" ?—Yes ; I believe that was as soon as he saw that the mark was made.

Mr. *W. Lovewell.*
10 July 1857.

292. As soon as he saw that the mark was made for "Way," he added "Tite"?—Yes.

293. Could you see whether he was looking at the poll-clerk all the time?—I believe he was looking at the book.

Cross-examined by Mr. *Slade.*

294. I suppose the man is first asked his name and his number?—Yes.

295. *Committee.*] Do you say you believe that the voter waited a minute?—He did not wait longer than that; he seemed to wait while the clerk leisurely recorded the vote.

296. Will you swear that he waited a minute?—I could not say.

297. Because you said just now that you thought he waited a minute?—A minute I think would be the utmost.

298. Mr. *Slade.*] Tell the Committee how these things are done; when a voter comes up he is first asked his number, is he not?—Yes.

299. And then he is asked his name?—Yes.

300. Then the number and the name are carefully written down in the book?—I believe so.

301. You have been there, and seen it?—Yes, I have seen them enter it.

302. Then after the number and name have been written down in the book, the poll clerk says, "Who do you vote for"?—Yes.

303. Is not the operation of recording a vote simply putting a mark under the name of the candidate?—Yes.

304. And you say that a minute elapsed after he had said "Way" before he added "Tite"?—At the most, it was a minute.

305. *Committee.*] Was it more than half a minute?—At this distance of time I cannot tell.

306. Was it immediately after the first entry was made?—It was immediately after he saw him mark it in a book.

[The Witness withdrew.

Mr. *John Pearce* was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *J. Pearce.*

307. WERE you the returning officer, the mayor's poll-clerk, at booth No. 5, Walcot, at the last election at Bath?—I was.

308. Do you remember a man named Batchelor coming up to vote?—I do.

309. William Batchelor?—Yes.

310. Did you ask him his number and his name?—I think he handed me a card with that upon it.

311. You think he did?—Yes.

312. Are you certain?—I would not swear to it; but I think he did.

313. Did you write down his number and his name?—I turned to the register, and found it out.

314. And you then wrote it down on the poll-book?—I wrote his number, his name, his qualification, and, I think, his business.

315. Look at the poll-book, and see if that is your handwriting?—[*After examining the book*]. Yes, that is my handwriting.

316. "No. 1,740, William Batcheler, 1, Nelson-place, vote for Way;" is that your handwriting on the left-hand side?—The whole of it is my handwriting.

317. Having turned to the register, you then wrote down his number, his name, his qualification, and his business?—I did so.

318. Having done that, what did you ask him?—I said Mr. Batcheler (knowing him), for whom do you vote?

319. You knew him previously?—I did.

320. What did he say?—For "Way."

321. What did you do then?—I entered it accordingly.

322. You put a mark under Mr. Way's name?—Yes.

323. After that did anything pass?—Yes, there did; I thought I had done with him, and he had gone away; and Mr. Wintle, who was the mayor's deputy returning

returning officer, then drew my attention to the instructions that were issued to each of the poll clerks.

324. Had Mr. Batcheler said anything before Mr. Wintle drew your attention to that?—Nothing at all; I thought, as I tell you, that he was gone or going.

325. What did Mr. Wintle draw your attention to the instructions for?—It had nothing to do with this matter.

326. It had to do with something else. You mention it to show that some time had elapsed?—Yes, and whilst I was looking at that, I think I had finished, but I will not swear to that; I turned round, and heard some one there at my elbow just at the side of the bar, and I saw Mr. Batchelor there still; I was astonished to see him there.

327. Well?—He said, "and I vote for Tite."

328. *Committee.*] Are you sure that those were the words?—"I vote for Tite," or "Tite too." I will not swear to the words; I made no memorandum at the time.

329. Mr. *Slade.*] What did you say to that?—Mr. Wintle spoke.

330. Who is he?—The deputy returning officer; he spoke and said, "Mr. Batchelor your vote is already recorded, and you cannot do that."

331. *Committee.*] You did not say so, but Mr. Wintle did?—Mr. Wintle said so. Mr. Batchelor felt very much annoyed.

332. Mr. *Slade.*] What did he say?—He said he thought it was not right, or something like that.

333. What did you do; did you make an entry?—I made the entry, which appears in the book.

334. Just read that entry?—"Afterwards tendered a vote for Tite; J. P., Poll-clerk; T. W., Deputy Returning Officer."

335. T. W. is Wintle?—Thomas Wintle.

336. Can you tell the Committee about how much time had elapsed between his voting for Way, and his afterwards saying that he voted for Tite?—I thought that nothing further would come of it, and I did not look at my watch, but to the best of my judgment, I should say full a minute. He turned away, and I thought he was gone at the time.

337. *Committee.*] Are you sure that it was more than half a minute?—I should think it was full a minute; I am not prepared to swear to the exact time.

Cross-examined by Mr. *Clerk.*

338. Whilst he was still standing there, you had turned round to pay some attention to Mr. Wintle; whilst Mr. Batchelor was still there, you had turned round to speak to Mr. Wintle?—I think not.

339. Do you mean that Mr. Batchelor went away?—He turned to go; that is my evidence.

340. He turned to go?—Yes.

341. Had he given a card with Mr. Way's name upon it when he came in? I believe that that is what he did in the first instance, which caused me to look at the register.

342. To get his number?—Yes.

343. Are you a clerk in the town clerk's office?—I am. I am the town clerk's clerk.

344. Did you thank the voters at that booth for Mr. Way when they came to vote for him?—I did not.

345. You swear that?—I will.

346. You swear that you did not thank the voters who voted for Mr. Way at that booth?—Most certainly I do. I positively swear that.

347. You swear it?—Yes, I do. It was not the first time I acted as poll-clerk, and I knew my duty better than to do that.

Vote not added.

ON THE VOTE OF HENRY HELPS.

Mr. *Clerk* proposed to add this vote to the votes given for the Sitting Member.

Henry Helps was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

H. Helps.

10 July 1857.

348. ARE you a beer-retailer in Bath?—Yes.

349. *Committee.*] A beer-house keeper?—Yes.

350. Mr. *Clerk.*] Did you go to the poll-booth at Walcot, at the last election, to vote?—No; not to Walcot.

351. Kingsmead?—In New King-street.

352. Did you take a card with you?—No; I had a bit of a written paper.

353. Who gave you that paper?—I cannot say who it was.

354. Did you get it at any committee-room?—I took it from the committee-room.

355. Were there any names put upon it?—Elton and Tite.

356. Did you go to the polling-booth?—Yes.

357. For whom did you vote?—For Elton and Tite.

358. Was your name written down in the book?—Yes.

359. Were you asked for whom you voted?—Yes.

360. What did you say?—"Elton," and then I paused for a minute, as I thought while they would write that down, and then I said "Tite."

361. How long did you pause?—Why, two seconds, while the gentleman could write the man's name.

362. And then you added "and Tite?"—"And Tite."

363. When you added "and Tite," what was said to you?—He said I was too late.

364. *Committee.*] Who said so?—Some gentleman who sat at the table.

365. The gentleman who wrote your name down?—I believe it was.

366. Mr. *Clerk.*] What did you say upon that?—Nothing; I came away.

Cross-examined by Mr. *Slade.*

367. You said you waited while the gentlemen could write a man's name down?—Yes.

368. What made you say that?—Because I never gave a vote before, and I thought I must not give both names at once, not till he could write it down.

369. Do you mean to tell those gentlemen they wrote this down?—I do not know; they were writing in the book; when I said "Eton" they wrote.

370. Wrote what?—I do not know what they put in the book.

371. Did you see them write as though they were writing the name?—Something like that.

372. Did you see the pen make more than one mark?—I cannot say that now; I said "Elton," and then I said "and Tite," as quick as possible.

373. How long were you before you said "and Tite?"—Two seconds or three, not more than three.

374. You are quite sure of that?—Yes, I am.

375. Do you know it is of importance to say it was done pretty quickly?—I do not know about that; I know that is the truth.

376. Are you the man that used to keep the Hop Pole?—Yes.

377. You have been in some trouble, have you not?—Yes, I have.

378. What did they find you guilty of?—I had something left at my house.

379. Whet then; were you not had up and tried?—(*No answer.*)

380. Come, now?—I am not talking about that.

381. But I am; were you not had up and tried, Mr. Helps, if you are the man who keeps the Hop Pole; you know I come from Somersetshire myself; were you not had up and tried?—(*No answer.*)

382. Perhaps you have forgotten it?—(*No answer.*)

383. I will try and help you, as your name is "Helps;" was it not for receiving some meal?—No, I never received it.

384. Were you not charged with it?—I was charged with it.

385. Did they not find you guilty?—Yes, they did, upon false swearing.

386. What did they give you; how many months?—(*No answer.*)

387. Come; do not keep us here till doomsday; you know how long you had; you have not had it so often that you do not remember; how long did they give you?—I do not choose to answer that question.

388. Now, my good friend, did they not give you seven years for what you say you were not guilty of?—(*No answer.*)

389. Did

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389. Did they not give you seven years?—(*No answer*).

390. Very well; perhaps you will answer this: are you a ticket-of-leave man?—No, I am not.

391. How came you out; did you serve your seven years?—I be out now.

392. Have you not got any leave to come out?—I am out.

393. Can you tell this Committee how you are out?—I am free of all of it, and I ought not to have been otherwise if I had had my rights.

394. Who brought you up to vote?—I came up myself.

395. Who brought you up to vote?—(*No answer.*)

396. Who brought you up, man?—A carriage brought me up.

397. Who brought you up in the carriage; was it Mr. Cox?—Mr. Cox never paid nothing for me.

398. Did he bring you up?—He came up in the same carriage.

399. Is he an active partizan?—I do not know.

400. Is he very active on the Liberal side?—I do not know.

401. He brought you up to vote for Elton, did he not?—No, I brought myself up to vote for him.

402. You brought yourself up to vote for Elton?—Yes; and Tite too.

403. Did Cox bring you up to vote for Tite?—No, nor yet for anybody; I brought myself up.

404. Who found you the carriage?—I paid for it.

405. How came Cox in your carriage?—How do I know. He had got as good a right in it as I had.

406. Not if you paid for it?—Have I not a right to pay for myself.

407. I mean for going up to the poll?—He never paid me nothing, nor yet gave me a farthing, nor yet anybody else.

408. Who brought you up to the poll that day?—(*No answer.*)

409. Who brought you up to the poll, Helps?—(*No answer.*)

410. Did Mr. Cox bring you up to the poll?—No, I walked up.

411. Did you walk up with Cox?—I believe he went up the street at the same time.

412. You and Cox walked up the street at the same time?—Yes.

413. Pretty close to each other, I will be bound?—I do not know about that.

414. Did not Cox bring you up to the poll; honour, now?—"Honour?" he came up the street.

415. With you?—I do not know whether he came with me or not; there were several coming up at the time.

416. Did not Cox, after you had voted for Elton, lay hold of your arm and say, "Why did you not vote for Tite, too"?—No.

417. Will you swear that?—He never said no such thing.

418. Upon your oath, did not Cox say, "and Tite, too"?—If he did I never heard him.

419. Will you swear that?—I can swear it.

420. Do you swear it?—He never said nothing to me in there, not at all.

421. Did you tender your vote; when the clerk said it was too late, did you insist on your vote being put in as a tender?—No; when they said I was too late, I came away and went home.

422. Did it astonish you?—No.

423. It did not astonish you when they said it was too late?—I thought it was very curious my being too late when it was not two seconds or three at the farthest.

Re-examined by Mr. *Clerk.*

424. Was this the first time you had voted?—Yes.

425. It seems you were in some trouble about a charge of receiving some goods; how long ago was that?—I never stole the goods.

426. How long ago is it since you were tried?—More than seven years.

427. Did you have a pardon, or did you serve your time?—I did not serve all the time.

428. Had you a pardon?—Yes.

[The Witness withdrew.

Mr. *William Abraham Cox* was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

Mr. *W. A. Cox.*

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429. ARE you a surgeon at Bath?—I am.

430. Did you see Henry Helps vote at the last election?—I did.

431. Were you at the booth when he voted?—I was.

432. Where were you; in what part of the booth?—I was at Helps's right hand.

433. Had you gone up with him?—I had.

434. When his name had been taken down was he asked whom he voted for?—He was.

435. What did he say?—He said, "Elton."

436. What passed then?—He seemed to remember himself, and said, "and Tite."

437. What interval of time was there between his saying, "Elton," and adding "and Tite"?—A very short time, a moment or two.

438. Did you see whether the poll-clerk made a mark in the book for Sir Arthur Elton when the voter said he voted for Elton?—I did not.

439. How many seconds should you say elapsed between his saying, "Elton," and adding "and Tite"?—Probably five or six seconds.

440. Had you spoken to him in the meantime?—I had not.

441. Had any one?—No.

442. Had the voter left the booth before he added, "and Tite"?—He had not.

Cross-examined by Mr. *Slade*.

443. This is not the first election you have been at by a good many in Bath?—No.

444. At any rate, it was not new to you how a man ought to vote?—No.

445. Was he the only man that day who did not say he was voting for two men, Elton and Tite; were there any others that you saw?—I do not remember seeing any other similar case.

446. I believe the usual way is, "Who do you vote for; Elton and Tite"?—Yes.

447. All done *uno flatu*?—Yes.

448. "Who do you vote for; Elton and Tite"?—Yes.

449. In this case, the man said, "Who do you vote for?" and the answer was, you are quite certain, "Elton"?—Yes.

450. And if you had gone away then, and anybody had asked you who he had voted for, you would have said "Elton"?—Yes, if I had gone away before he said "and Tite."

451. It was recorded "Elton," and then he said "and Tite"?—I did not see how it was recorded.

452. But there was time enough to record it?—Yes; I believe it is recorded by a stroke.

453. Am I right in supposing you brought him up?—Quite.

454. He walked up he tells us?—I am not quite certain about that.

455. I rather think you brought him up in a fly?—It is very likely.

456. At all events, you brought him up and polled him?—Yes.

457. You were rather astonished when he said "Elton" only?—Yes.

458. Did you give him a nod?—No.

459. Or a look?—No.

460. You were astonished; you are an old client of mine, I am sure you will tell me what is right; you were astonished; you brought him up, and intended him to vote for Mr. Tite, and he only voted for Elton; do you represent that you did not turn round and look at him?—No, I did not turn at all.

461. Were you not delighted when he said "and Tite"?—Yes, I was.

462. You are an old campaigner; you have been a staunch Liberal all your life?—No, not always.

463. Did you turn your coat once?—Yes.

464. Perhaps you are the stronger for having turned it; did you tender the man's vote, or discuss it with the poll-clerk?—No, I did not.

465. You did not tender it, and did not discuss it with the poll-clerk?—No.

466. He says he walked away, and was not much astonished; did you walk away?—Yes.

467. And you were not much astonished?—Well, I walked away.

468. Let us go by steps; you were first annoyed because he did not vote for Tite,

Tite, and then you were delighted when he did; what were you when his vote was not entered for Tite?—I was disappointed. Mr. *W. A. Cox.*

469. Annoyed, delighted, and disappointed: did it not occur to you, you would have some discussion with the poll clerk?—I thought it ought to have been entered. 10 July 1857.

470. Did you express your thought?—I did not.

471. Did you remonstrate with the returning officer or with the poll clerk?—No; I did not think it my business to do so.

472. I suppose you have seen such a thing before now as a remonstrance with a poll clerk?—Yes.

473. And from parties who were warm partizans like yourself?—I believe parties are generally employed to watch the interests of the candidates; I was not employed to do so.

474. Did you hear anybody watching the interests of the candidates on behalf of Mr. Tite remonstrate with the returning officer for not receiving that vote?—No.

475. You say you did not prompt Mr. Helps?—I do.

476. You did not look at him?—No.

477. Did you shake him?—No.

478. Touch him?—No; no communication took place between us.

479. Was there any telegraphing?—No.

480. Did you touch his toe?—No.

481. *Committee.*] How near were you?—I stood within a yard I should suppose.

482. You did not touch him?—No.

483. Was the voter quite sober?—Quite.

Re-examined by Mr. *Clerk*.

484. You say there was time enough to record it; was there more than time after the record was made for Elton before he added, "and Tite"?—Oh, yes.

485. There was more than time?—Yes.

486. How many could you have counted before he added, "and Tite"?—I should suppose four, slowly.

Examined by the *Committee*.

487. Did you see Helps with a card in his hand when he went up to vote?—No, I did not.

488. Was there much sharp practice of this sort at the last election at Bath, do you think, on both sides?—No; I do not think so.

489. Who said he was too late?—The deputy returning officer.

490. And not the poll clerk?—I do not exactly know who were the poll clerks; but it was the one who presided; it was Mr. Watts the one who entered.

491. And he said he was too late?—He said he was too late.

492. Was there any reply made to that?—I do not remember that he replied to it.

493. What was the name of the poll clerk?—The person who took the votes was Mr. Watts.

494. You said it was the deputy?—I am speaking of Mr. Watts; the person sitting taking the votes.

[The Witness withdrew.

Mr. *John Taylor* was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

495. WERE you a check clerk at booth, No. 2, at the last election?—I was. Mr. *J. Taylor.*

496. Do you remember Henry Helps coming to vote at the election?—I do.

497. When he was asked for whom he voted, what did he say?—For Way; he said he voted for Way; I beg pardon; I must correct myself; I did not think for a moment; he said for Elton.

498. Did he then add afterwards some other name?—He did.

499. What passed?—The returning officer asked him for whom he voted; he said, "For whom do you vote?" he said, "For Elton," and he paused; he turned, and then said, "and for Tite;" these were his very words.

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500. How soon did he add those words, "and for Tite," after he had said, "Elton"?—I think a quarter of a minute; not hardly; it may be not a quarter of a minute.

501. Did you see whether any one spoke to him before he added the words, "and for Tite"?—Nobody spoke to him at all; I took particular notice.

502. Did he remain standing in the same place?—He did.

Cross-examined by Mr. *Slade.*

503. You were Mr. Tite's check clerk?—I was not; I beg pardon.

504. You said so, you know?—No, I beg pardon; I was check clerk for Sir Arthur Elton; I said I was check clerk at the booth.

505. As check clerk, you put down the votes as they are given for everybody, do you not?—I put them down for all.

506. Have you got your book with you?—No.

507. You have not got your book with you?—It is there I see; I did not know it was here.

508. Did you enter this man as a voter for Tite?—Certainly not, because the vote was not received; the returning officer said it was too late.

509. But you do not wait for the returning officer; you take it down when the man says, "Tite." If he had said "Elton and Tite," it would have been done in a moment?—I beg pardon; we wait till we see the vote recorded.

510. Was the vote recorded for Elton then before the man said, "and Tite"?—I cannot say exactly whether it was or not.

511. You are not quite sure?—I am not.

512. *Committee.*] Who do you say the vote was not allowed by?—By the returning officer.

513. Is that Mr. Watts?—No, Mr. Scurry, the deputy mayor.

514. You heard Mr. Scurry say, "You are too late"?—I did.

515. Did anybody make any observation upon that?—I do not remember.

516. You are an old electioneerer in Bath?—Not very old.

517. You are not a very old man, but for your years, you are an old electioneerer. You enjoy the name of "The Bath Lord John Russell," do you not?—I am not aware of it.

518. Oh yes, you are; I mean you really do take an active part on the liberal side?—I did not at the last election.

519. But generally?—Generally I have taken an active part, but at the last election I did not.

520. You only were there as check-clerk?—I was there as check-clerk.

521. For whom?—For Sir Arthur Elton.

522. Sir Arthur Elton and Tite were voting together a good deal, were they not?—Sometimes they were.

523. They coalesced?—I do not know anything about that.

524. I dare say you do not know more than is necessary?—I beg your pardon, sir; that is a strong remark.

525. We are all very clever you know; you have been at a good many Bath elections?—Only one previous to this.

526. Was that a contested one?—Yes.

527. Was that the one that you took such an interest in?—I took no very particular interest in that; I was check-clerk then.

528. The usual way of voting at Bath, when there are three candidates or or four, is when a man is asked, "Whom do you vote for?" They say in one breath, do they not, "Elton and Tite"?—Not always; I have seen men come, and they have shaken in this way (*describing the action*); they really have not remembered the man's name for whom they were going to vote, and they have been at a loss for the name they have been going to vote for; and they have given one name, and then they have almost forgotten the other altogether, till at a moment they will say so and so.

529. Yes, somebody prompting them I suppose?—No; that has been the case with many voters; I have seen that as a check clerk.

530. *Committee.*] Were they in the habit of taking the bath waters?—Some of them are.

531. Mr. *Slade.*] I can almost think I can see the man; but Helps was not in that state was he?—Helps was ill.

532. Was he in this helpless, tremulous state?—No; you have not heard me say so. You said, was it not always the case, that a man would give both

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both names in one breath, and I just put you right; what I have seen I do not apply to Helps,

533. We will suppose a man not subject to these nervous attacks, but a strong, firm-minded man, like yourself; is it not the custom to say in Bath, when asked, "For whom do you vote;" "Tite and Elton"?—I admit it.

534. And when they refused to receive the vote because this man allowed a quarter of a minute to elapse before he gave the second name, nobody thought there was anything very harsh in it because nobody remonstrated?—I do not know what other people thought; I know what I thought.

535. Did you hear anybody remonstrate either check clerk or otherwise, on the part of Mr. Tite, that the vote was not received?—No.

Re-examined by Mr. *Clerk*.

536. Do the check clerks ever remonstrate with the returning officer?—I have never seen one do so.

537. You say Helps was ill on this occasion—He was.

538. Did any one prompt him?—They did not.

539. Had Mr. Tite a check-clerk of his own?—He had.

540. He has left Bath, I believe?—He has.

541. You acted for Sir Arthur Elton only?—I did.

542. Were there many votes at that election split between Sir Arthur Elton and Mr. Way?—Very few at our booth; I do not know about others.

543. You say you have seen voters first give one name and then the other?—Yes.

544. Is that often the case?—I cannot say it is often the case, but it has been the case.

Examined by the *Committee*.

545. I want to know whether you can assure the Committee, positively, that nobody made any sign to Helps after he had given one name, and before he gave the other?—There was no sign to my knowledge; I saw none.

546. And no one had any communication with him?—None whatever.

547. I think you said, that having given one name, he turned round?—He did.

548. Did he turn in a direction in which he could see Mr. Cox?—He might have seen him or others that were standing there; there was more than Mr. Cox; there were several there at the time.

549. Close behind him?—Yes, people coming in to vote.

550. How near was Mr. Cox to him?—It may be as near as I am to you.

551. A yard?—Yes.

552. Are you of opinion that Helps was sober when he came to vote?—Yes, as sober as you are.

553. Do you mean he really was unwell?—I do.

554. You think he was unwell?—Quite.

[The Witness withdrew.

William Edward Reeves was again called in; and Examined by Mr *Slade*, as follows:

W. E. Reeves.

555. YOU were the poll-clerk for Mr. Way in this booth?—I was.

556. Do you remember Henry Helps voting?—Yes.

557. Who did he vote for?—Elton.

558. And did you in your book record him as voting for Elton?—Yes.

559. Turn to it and see?—(*The Witness produced his book, and referred to the entry.*)

560. Just tell the Committee how the vote is taken; do they ask, first of all, the man's name, then turn to the register; write it all down, and then say, "who do you vote for"?—Yes.

561. Was that said to Helps?—It was.

562. Who put the question to him?—Mr. Scurry.

563. That is the deputy returning-officer?—Yes.

564. What was Helps's answer?—He waited a few seconds, and then said, "Elton."

565. Then did you see that recorded?—I did.

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566. And then you recorded it yourself?—Yes.

567. And, after that, was anything said?—Nothing was said.

568. Did you hear him say, "and Tite?"—No, he did not say anything.

569. If "Tite" had been said afterwards, should you have heard it?—Of course I should.

570. You were listening to hear?—Yes.

Cross-examined by Mr. *Clerk*.

571. You were poll-clerk for Mr. Way?—I was.

572. Had you canvassed before the election for Mr. Way?—I had.

573. When Helps came in he was asked for whom he voted; you say he waited a second?—He waited a second or two.

574. Before he said "Elton?"—Before he said, "Elton."

575. And you heard nothing said more?—I heard nothing said more.

576. Is this the book as you kept it?—I had that given to me yesterday afternoon.

577. Why is it that this page is less than the other; it is less than the other?—Because it was torn off every hour; those were my instructions.

578. Mr. *Slade*.] To send up to the Committee?—Yes.

Examined by the *Committee*.]

579. You say you did not hear Helps say, "and Tite?"—He did not say any thing after he sad "Elton."

580. Did you see Mr. Cox there?—I did. I kept my eye upon him.

581. If Mr. Cox had told this Committee that he distinctly heard Helps say, "and Tite," do you mean to say Mr. Cox has stated that which is not the truth?—I do; it is a falsehood.

582. Do you mean to say you were watching him?—I did; I watched him particularly; and when Mr. Scurry said, "That will do," Mr. Cox caught hold of his arm and shook him and said, "Why did you not say, 'and Tite.'"

583. Are you sure of that?—I am certain of it; I will swear it; he said it it in an undertone, but I observed it.

584. Which side was he, on the right or left of him?—On the right.

585. Did he make any answer when he was asked that question?—No, none at all; he turned round and walked out with Cox.

586. Did he not say at all, "and Tite?"—He did not.

587. Not even after Mr. Cox did that?—No.

588. In short he never pronounced Tite's name?—He never pronounced Tite's name in my hearing; what he may have done outside the room I cannot say.

589. How far were you from Helps?—About six feet, I should th nk.

590. Was Cox standing nearer to him than you?—Considerably, he was close to his arm; that was what I observed Cox so closely for; I thought there must be a little collusion.

591. How near to him was he?—Close.

592. Within an inch or two?—Yes.

593. Then supposing the voter did say the word Tite, Cox woul d have more distinctly heard it than you could?—Certainly.

594. What distance were you from Helps?—About six feet.

595, If any witness has told us that he was a yard from Helps, that witness has told a falsehood?—Decidedly.

596. He was within an inch or two?—He was within an inch or two; he was close to the side of him.

597. On his right hand side?—Yes.

598. Do you say that he shook him?—He caught hold of him by his right arm and shook him gently.

599. Nudged him?—Yes.

600. With which hand did Cox catch hold of his right arm?—I cannot say which hand; I should say the right; I think it was the right.

601. If he was standing on the right hand side of Helps, would he catch hold of him with his right hand?—I do not know; just as the case may be.

602. You

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602. You are sure that no one remonstrated at the vote not being put down for Tite?—No; not on either side.

603. Did you hear the objection made by the returning officer?—No; there was no objection made.

604. By the returning officer?—No; there was nothing mentioned at all.

605. There was no remark made?—There was no remark made.

606. I understood from the witness he never mentioned Mr. Tite's name at all?—He did not mention Mr. Tite's name.

607. Was Cox an active partizan of Elton's?—Very great.

608. Of Elton's?—Yes, and Tite's too; he always was.

609. Was he more a partizan of Tite's than you were for May?—Not at all.

[The Witness withdrew.

George Watts was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

G. Watts.

610. WERE you the Mayor's poll clerk in the booth No. 2, at the last election for Bath?—Yes.

611. Take that poll-book in your hand and turn to the vote of Helps, Henry Helps, No. 2276; have you got it?—I have (*referring to the poll-book.*)

612. You find him recorded there as voting for Sir Arthur Elton?—I do.

613. Have you any recollection of any other name being mentioned by the voter as the name of the individual for whom he voted, besides that of Elton?—Certainly not; to the best of my belief I recorded the vote as it was tendered.

614. Did he tender his vote for Mr. Tite?—I should think not, most decidedly.

615. If there had been a tender for Tite, and the deputy returning officer had ruled it to be too late, would there have been a vote made in your book?—I should have considered it my duty to have made a note of it.

616. *Committee.*] Even if it had been only a few seconds, if you thought the vote had not been tendered in time; if you thought it had been given only for one of the candidates, and it was said that it was desired to be given for another also, you would have made an observation in your poll-book?—Not if it was a few seconds.

617. You never heard the name at all?—No.

618. You can swear that it was only one whose name was given to the best of your belief?—To the best of my belief it was only one that was given.

619. He never mentioned the name of Tite at all?—I have no recollection of his doing so.

620. If the vote had been disallowed by the returning officer; if he had said "You are too late," you would have made a minute of it?—Certainly; but I do not think the question could have arisen.

Cross-examined by Mr. *Clerk.*

621. Have you any recollection of the man Helps coming in?—I have not; I do not know the man.

622. You say that if the returning officer had decided the tender of his vote for Mr. Tite to be too late, you would have made an entry of it in the book?—I should have done so.

623. Did you make any mistakes yourself in your book that day?—I am afraid I did commit one mistake.

624. Are you the gentleman who recorded Mr. Benjamin Bailey's name as having voted for Mr. Tite instead of Mr. Way?—I am the same individual. I was the only poll-clerk there.

Re-examined by Mr. *Slade.*

625. If I remember right, in Bailey's case, he was recorded for Tite in your book, but in all the other books he was recorded for Way?—I have heard so.

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Examined by the *Committee.*

626. You have no recollection at all of Helps voting?—I have no distinct recollection of it. I do not know the man, and therefore I cannot now remember the circumstances under which he tendered his vote.

627. Then you are not able to tell us whether he stood alone, or whether anybody was near him?—No. I entered the vote, to the best of my belief, as it was tendered. I have no recollection whatever of the vote having been polled.

[The Witness withdrew.

Richard Simmons was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

R. Simmons.

628. WERE you check-clerk at No. 2 booth, at Walcot?—I was.

629. Do you know Henry Helps?—I do.

630. Did you see him come up to vote that day?—Yes.

631. For whom did you hear him vote?—For Sir Arthur Elton.

632. Who did he say he voted for?—He said Mr. Elton.

633. Did he say for Elton or for Mr. Elton?—For Mr. Elton.

634. Have you got your check-book with you?—Yes (*producing it*).

635. Just see who you checked this man's for when he was asked who he voted for?—For Mr. Elton.

636. *Committee.*] Not Sir Arthur Elton?—Sir Arthur Elton.

637. You said "Mr. Elton"?—Sir Arthur Elton.

638. Mr. *Slade.*] Did the voter say "Mr. Elton"?—He did.

639. And you put him down as voting for Sir Arthur Elton?—I marked him for Sir Arthur Elton.

640. Did you hear him mention the name of Mr. Tite at all?—I did not.

641. Do you know Mr. Cox, the surgeon?—I do.

642. Did you see him standing by him?—I did.

643. Was he close to him?—He was.

644. Which side of him was he?—I do not recollect.

645. Did you see Mr. Cox do anything, or did you hear him say anything to him?—I did.

646. Tell the Committee what you saw or heard?—Mr. Cox took Mr. Helps by the arm, and shook him and spoke to him loud enough for me to hear, "Why do you not vote for Tite?"

647. *Committee.*] You are quite sure of that?—I am sure of it.

648. What distance were you from him?—I was as close to him as I am to you.

Cross-examined by Mr. *Clerk.*

649. Did Helps, after he was asked whom he would vote for, give Elton's name at once?—He did.

650. As soon as he was asked who he would vote for?—Yes; he said "Mr. Elton."

651. Then did he walk away?—He did.

652. Then was it outside the booth that Mr. Cox shook him by the arm?—No.

653. Just as he was leaving?—Just as he was leaving; if he had been outside I should not have heard him.

654. Then did Helps come back again to the front of the booth?—No.

655. Then both Cox and Helps were walking out of the booth at the time Cox shook him?—They were.

656. *Committee.*] And they both came in together?—They did.

657. Mr. *Clerk.*] Have you heard since you have been out in the gallery to-day what has been said in this room?—I have not.

658. Do you know what Mr. Reeves has sworn here?—I do not.

659. Were there any other persons in the booth at the time besides Cox and Helps?—No, I think not.

660. *Committee.*]

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660. *Committee.*] You mean, not at the bar, when he was giving his vote?—Yes.

661. Did you hear Helps pronounce the word "Tite"?—I did not.

662. Did you see the witness Taylor, who was a check-clerk?—I did.

663. How near was he to Helps; was he nearer to him than you were?—He was not; he was about the same distance.

664. You say you did not hear Helps vote for Tite?—I did not.

665. You cannot say that he did not?—I could.

666. Do you mean to say that if Taylor has told us that he distinctly heard him say he would vote for Tite, he has said what was not true?—I do.

667. After Mr. Cox had said, "Why did you not vote for Tite," what did they do?—They walked from the booth together.

668. Did Helps do anything then?—No.

[The Witness withdrew.

Joseph Cleall was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

J. Cleall.

669. WERE you at the last Bath Election standing in the Walcot, No. 2 Booth, on the day of the election?—Yes, in New King-street.

670. Do you know Helps?—Yes.

671. Do you recollect seeing him come up to poll?—Yes.

672. Who was with him?—Mr. Cox, the surgeon.

673. Who did he poll for?—When he came in he tendered the card to the deputy officer. He asked him for whom he voted, and he told him for Mr. Elton.

674. *Committee.*] You say he tendered a card?—Yes.

675. Did you see it?—Yes.

676. It was a card, was it?—Yes.

677. Was it a card or a bit of paper?—I am sure it was a card; I was not standing two feet from him.

678. Was it one of the common cards that you had seen before?—It was Elton and Tite's card.

679. Mr. *Rodwell.*] When he was asked for whom he voted, he said "Elton"?—Yes.

680. Did you hear him mention any other name?—No; no other word afterwards.

681. How far were you off?—I was not two feet from him.

682. After he had said he would vote for Mr. Elton, did you see Mr. Cox too, or did you hear him say anything to him?—I saw Mr. Cox take him by the arm in the way of speaking; but what the words he used to him were I know not; I saw his lips move.

683. Did you make any observation at the time about this?—I did.

684. What was it?—

Mr. *Clerk* objected to the question.

The question was waived.

Cross-examined by Mr. *Clerk.*

685. Was your vote refused at the election?—No; I did not tender it.

686. Are you the Joseph Cleall whose vote it is sought to add in this inquiry; you did not tender your vote?—I did not.

687. When Helps came in you say he had a card with him?—He had a card.

688. When he was asked for whom he voted, what did he say?—He said for Mr. Elton.

689. Did he say that at once?—He said it at once after a little hesitation.

690. Where was Mr. Cox when he shook him by the arm?—Between Helps and the wall opposite Mr. Taylor.

691. That is Mr. Taylor, the check clerk?—Yes; and another person, a Dr. King, was in the booth that side, and he stood opposite.

 692. Then

J. Cleall.
10 July 1857.

692. Then was Helps standing in front of the booth when Mr. Cox shook him by the arm?—He was standing in front of Mr. Scurry.

693. Was he standing in the same place where he had given his vote?—Rather shifting back towards the door; rather upon the retreat.

694. Had you gone there to vote yourself?—No.

695. What were you doing in there?—Why, sir, I had a decided right to be there; it was public.

696. Were you inside the booth?—No; I stood by the side of Mr. Helps; very near to him.

697. What had you gone there for?—The same as a great many others; just to look on.

698. Were persons let into the booth to look on?—Yes; anybody might go in and out of the booth as long as they conducted themselves properly.

Examined by the *Committee.*

699. How near was Helps to Taylor, the check clerk?—Merely the bar of the polling booth parted them.

700. How far distant was he from Simons?—I was betwixt them.

701. Was Simons further off than Taylor?—Yes, he was on the left-hand side of myself, and Taylor was on the right-hand side of Helps.

702. You stood nearer to Helps than Simons?—Yes.

703. You tell us that you heard him vote for Tite?—No; for Elton.

704. Then afterwards did you hear him vote for Tite?—No; he never mentioned a word after he had voted for Elton.

705. Not after Mr. Cox touched his arm?—No; he never opened his lips in my seeing him or hearing him, after he had voted for Elton.

706. How long had you known Helps?—I knew him two years before he was transported.

707. Are you quite sure he was sober at the time?—Yes, perfectly sober.

Mr. *Slade* was heard to sum up the evidence against the vote.

Mr. *Clerk* was heard in support of the vote.

Vote not added.

[Adjourned to Monday, at Twelve o'clock.

Lunæ, 13° *die Julii*, 1857.

The Right Honourable EDWARD HORSMAN, in the Chair.

The Names of the Committee were called over;—all Present.

ON THE VOTE OF WILLIAM HENRY WALMSLEY.

Mr. *Phinn* proposed to strike off this vote from the number of votes given for the Petitioner, on the ground of non-residence.

Henry Goodridge was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

H. Goodridge.
13 July 1857.

708. ARE you the agent for the owner of the house, No. 19, Henrietta-street?—I am.

709. Was Mr. Walmsley the tenant of that house?—Yes.

710. Have you received rent from him?—Yes.

711. Di

711. Did he at any time leave it?—Did he leave 19, Henrietta-street?

712. Yes?—Yes.

713. When did he leave it?—He paid me the rent for the last occupancy on December the 3rd.

714. In what year?—1856.

715. When did he actually leave it?—Shall I put in a note of his that I have.

716. No, not at present; tell me when he actually left?—Early in December; he paid me the rent at that time, leaving some small portion of his furniture in the house, and the keys were to be given up to me within a day or two afterwards, or within a few days afterwards, which was done.

717. When did his period of occupation expire?—He had a right to occupy by his engagement, up to the 21st of December.

718. Did he tell you when he talked of leaving where he was going to?—To Brighton.

719. For what purpose?—To reside there; that he had taken a house to reside there with his family.

720. *Committee.*] You are sure it was not the 31st?—The 21st, the usual quarter-day; Saint Thomas's-day.

721. Mr. *Phinn.*] After he left Bath did you receive a note from him?—Yes.

722. Do you know his handwriting?—Yes.

723. Produce the note, if you please?—

(*The Witness produced the following Letter, which was read:*)

16, Clifton-terrace, Brighton, 12th December 1856.

Dear Sir,

I DOUBT not that by this time Mr. Powell has given you possession of 19, Henrietta-street, and as Mr. Goodridge informed me that he intended having some one in the house as soon as the Packers vacated it, I write to request you to be so good as furnish the people thus placed in the house with my address (as at the heading of this letter), that if any letters should be delivered there they may re-direct them. I have written to the postmaster at Bath, but urge my present request as a matter of further precaution. With my apology for thus troubling you,

I am, dear sir, yours truly,

Messrs. Goodridge, Bath. *William Henry Walmsley.*

724. After the receipt of that letter did you take possession of the house?—I did.

725. *Committee.*] When?—I cannot speak to the day, but it was early in December.

726. Early in December?—Yes; the rent was paid on the 3d of December before it was due.

727. That letter which you have produced was written on the 12th, was it not?—On the 16th, I think.

728. Was it after you received that letter, or before, that you took possession?—I think it was before; I will not be positive to a day or two.

729. The tenancy terminated on the 21st of December?—Yes; I had possession before that; I will not be positive whether it was before the 12th or afterwards, but it was somewhere thereabouts.

730. Mr. *Phinn.*] Do you remember meeting him on the day of the election?—Yes.

731. Did you have any conversation with him?—Cursorily in passing through the street.

732. Will you tell us what the conversation was?—I can scarcely recollect what transpired at the time, it was that he had come up from Brighton.

733. Mr. *Slade.*] Who said that?—The voter.

734. Mr. *Phinn.*] What had he come for?—He was coming from the polling place; he said he had been to vote.

735. Did he say whether he had received anything?—No; I did not go into any conversation with him.

[The Witness withdrew.

William Henry Walmsley was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

W. H. Walmsley.

13 July 1857.

736. IS your name Mr. William Henry Walmsley?—It is.

737. Did you formerly occupy a house, No. 19, Henrietta-street, Bath?—I did.

738. Did you leave that at any time?—Yes.

739. When?—The Christmas quarter last.

740. Did you retain any residence in Bath?—I retained the furniture in Bath.

741. Where did you put your furniture?—I warehoused my furniture with Messrs. Power.

742. Did you retain any place to sleep in in Bath?—I retained no place to sleep in in Bath; but I might have slept where my furniture was.

743. In the warehouse?—If I had been so disposed in the place where the furniture was first placed.

744. Where was it placed?—Some of it was placed in some premises associated with Longley's Livery Stables, going out of a house connected with it; part of the time this furniture was in part of that house.

745. Did you pay rent for keeping the furniture there?—Yes.

746. What did you pay?—My arrangement with Messrs. Power was to pay 12 *l.* per annum.

747. For keeping your furniture there?—For keeping my furniture there.

748. Was it in a warehouse with other furniture?—No.

749. Did you go to see it?—Yes, I did.

750. Is it a house used for warehousing?—I believe it to be a house that Mr. Power had either of his own, or on his hands, and in which, if he had not room in his own premises in Union-street, he placed furniture.

751. Did you see other furniture there?—No.

752. Are you a married man?—Yes.

753. Where did you take your family to?—To Brighton.

754. That is more than seven miles from Bath?—Of course it is.

755. Did you ever sleep in Bath a single night till the election?—Yes.

756. From the time you left?—Yes; I slept in Bath two or three evenings before the election.

757. What time did you go from Bath to Brighton?—I forget now the exact day I went; but I know I was there some three days before the election.

758. What time did you go from Bath to Brighton; how soon after you gave up your house?—I left Bath to go to Brighton on the 5th of December, leaving possession of my house and furniture with Mr. Power, to give possession up at the proper time, and to remove the furniture to the warehouse.

759. Did you visit Bath between the day that you left in December, and the day you went down to vote?—I did not go down to vote.

760. What did you go down for?—To make arrangements on my own private business from three days or so before the election.

761. Where did you go to?—I went and stopped with my friend Mr. Slunn, at 15, Norfolk-crescent.

762. How long did you stay there?—I stayed there the best part of a week; I think six days.

763. Did Mrs. Walmsley accompany you?—She did not.

764. What occupation are you following?—I have no occupation; I am a gentleman living on my means.

765. *Committee.*] Of what did your family consist; have you any children?—Yes; five children.

Cross-examined by Mr. *Slade*.

766. As I understand you, you might have returned to Bath, where your furniture was put up, at any time you liked?—Certainly. I could have returned there any time I liked, of course, to see my furniture.

767. What was your object in leaving your furniture there; not for sale, I suppose?—No; my object in leaving it in Bath was simply this: Bath not agreeing with my wife, I took a furnished house at 16, Clifton-terrace, Brighton,

Brighton, for a few months, in order that I might try whether the air of Brighton would suit my wife and family, and in that case I could send my furniture to where I fixed on as a residence; if not, I could go elsewhere. *W. H. Walmsley.* 13 July 1857.

768. And if Brighton had proved unfavourable to Mrs. Walmsley's health you might have returned to Bath?—I might probably have returned to Bath, or gone elsewhere.

769. There was your furniture in Bath if you had been minded to return to Bath?—Certainly.

Re-examined by Mr. *Phinn.*

770. The 12*l.* a year was for the furniture?—Yes.

771. You never contemplated living in this warehouse, did you?—Certainly not; but had I known there was a question as to sleeping I would have gone and slept there the night before.

Examined by the *Committee.*

772. Where are your wife and family now?—In Brighton. I am residing now as a permanent occupier, at 3, Russell-crescent, Dyke-road, Brighton.

773. Where were you at the time we speak of, between December and March, before the election?—In Brighton.

774. Where?—16, Clifton-terrace. I took a furnished house there for a few months, to see whether the air of Brighton would agree with my wife and family.

775. And then you removed from that to No. 3, Russell-crescent?—Yes; where I have got my furniture since the election.

776. You have removed it from Bath?—Yes.

777. At the time of the election your furniture was at Bath?—At the time of the election my furniture was at Bath, and for a few days after; if you like I will show you the bill I received.

Mr. *Slade* was heard against the objection to this vote.

Vote struck off.

ON THE VOTE OF EDWARD GERRISH.

Mr. *Phinn* proposed to strike off this vote from the number of votes given for the Sitting Member, on the ground of non-residence.

Mary Lewis was called in, and having been sworn; was Examined by Mr. *Phinn*, as follows:

778. IS your husband a Farmer, residing at Bathford?—A farmer. *Mary Lewis.*

779. Have you a relation, Edward Gerrish?—Yes.

780. What was he?—A butcher.

781. What relation is he to you?—He is a first cousin of my husband's.

782. Do you know the house No. 25, Walcot-buildings, Bath?—Yes.

783. Did Gerrish ever live there?—Yes.

784. Up to what time did he live there?—Up to September last; he was a tenant rather longer than that.

785. Do you remember your husband seizing his goods there?—Yes.

786. Do you recollect about what time that was?—Not exactly, I do not.

787. Was it some time last autumn?—Yes.

788. Were the goods sold?—Yes.

789. Did they sell for enough money to pay the rent?—I should suppose so, but the business is not settled at present. I was an invalid at that time.

790. After the sale of the goods did you and your husband take possession of the house?—For a short time we did.

791. How soon was that after the goods were sold?—I should think directly.

 792. What

Mary Lewis.

13 July 1857.

792. What did you do with it afterwards?—Mr. Lewis kept the business on for a short time, and then let it to another tenant.

793. To whom did he let it?—To a Mr. Butt.

794. Were there any goods or anything of Mr. Gerrish's left on the premises at Walcot-buildings?—No, not that I am aware of.

795. I believe your husband had been a butcher at one time?—Yes.

796. What became of Gerrish after you took possession of the house?—Mr. Lewis gave him a house.

797. How long did he stay with you at Bathford?—He has made it his home ever since, but he went up to see his friends.

798. *Committee.*] What house did Mr. Lewis give him?—At Bathford.

799. Mr. *Phinn.*] What did he occupy in your house?—He occupied a bedroom to himself, and he was with the family.

800. When did he leave you?—He left a little before Christmas, but he returned again.

801. Where did he go to when he left?—He went into Hampshire on a visit.

802. Do his relations live in Hampshire?—Yes, he has a brother and a mother; his mother lives with her son.

803. To whom did the furniture in the room in which he slept belong?—To Mr. Lewis.

804. Your husband?—Yes.

805. Did his family go with him into Hampshire?—He has no family; he is a bachelor.

806. Mr. *Phinn.*] He left at Christmas?—Yes.

807. When did he return; when did you see him?—In April.

808. Did he tell you where he had come from?—Well, he did do that; but I knew where he had come from.

809. But did he tell you where he came from?—Yes.

810. Where did he tell you he came from?—That he came from Hampshire, from Upton, and that he had paid a visit to two sisters besides.

811. Does his brother live there?—At Upton.

812. What is his brother?—He is a valuer and a farmer.

813. Did he tell you how he got his living while he was at Upton?—He lived on his friends.

814. How did he live when he was with you?—He lived with us.

815. Who found him money and means; did he work?—No; he did not work; he was not paid anything, nor did he pay either.

816. But he lived in your house, and you fed him?—We fed him and boarded him.

817. Did he pay anything for his food or board?—No.

818. Did he leave anything in your house when he went away?—He left all his clothes; he merely took a carpet bag with him.

819. You say he left all his clothes; what did they amount to?—I cannot tell you.

820. What did he leave there; was it a box full of things?—He left a box.

821. Did he leave anything more than a box?—Yes; he had the use of drawers.

822. *Committee.*] Was it a box with his own name upon it?—It was his own box; the box that he brought his clothes in that he left.

823. Mr. *Phinn.*] Did he leave anything else?—Not that I am aware of; whether he had any little things put away or not I do not know.

824. Was his room occupied when he was away?—No.

825. Are you sure of that?—Yes.

826. Not at all?—No.

Cross-examined by Mr. *Slade.*

827. This was your husband's first cousin?—Yes.

828. And you say that he considered your house his home?—Yes.

829. Now I will ask you was it his home?—He had no other home.

830. He had no other home than your husband's house?—No.

831. You

Mary Lewis.
13 July 1857.

831. You say he left all his clothes behind him; were some of those clothes in the box in which he brought them, and were others in a chest of drawers in his room?—No clothes; no, I think not; there may have been a few odd things in a bottom drawer, or so.

832. At any rate was that his room?—Yes, he occupied it.

833. And it was known in your house, was it not, as Gerrish's room?—Yes.

834. In point of fact were you expecting him back to your house long before he did come back?—Yes; we expected him back before he did come back.

835. And I believe that in consequence of that expectation, you did not forward to him some letters which came for him?—No; we did not, because we were expecting him back before he came back.

836. Had he not some tools?—Yes; he had a few.

837. Were they left behind?—Yes, oh yes; he did not take anything but a carpet-bag with him; he scarcely took a change.

Examined by the *Committee.*

838. Where does he live now?—He has been at Bathford; he has had no other home.

839. He still lives with you?—Yes, only he came to London two or three days ago.

840. Did your husband charge him any rent while he was with you?—No.

841. He paid nothing for his room?—No.

842. In point of fact, you have been very kind to him in his disgrace?—Yes; he was apprenticed to my husband; he let him the business; he has been rather unfortunate, and we gave him a home.

843. Did anybody occupy his room during his absence?—No.

[The Witness withdrew.

Thomas Lewis was called in, and having been sworn, was Examined by Mr. *Clerk*, as follows:

T. Lewis.

844. I BELIEVE you are a Farmer living at Bathford?—Yes.

845. Edward Gerrish is a cousin of yours, is he not?—He is.

846. Were you formerly a butcher yourself?—Yes.

847. When you were a butcher did you carry on business in Walcot-buildings, Bath?—Yes.

848. Was that the same house that Gerrish afterwards took?—Yes.

849. Was he your tenant?—He was.

850. In September last was his rent in arrear?—It was.

851. I believe you distrained upon him?—I did.

852. Was his furniture sold?—It was.

853. The whole of it?—The whole of it.

854. Did it produce enough to pay the rent that was in arrear?—It is not balanced up yet.

855. Do you know whether it produced enough to pay the rent or not?—I suppose there will be about enough.

856. After the furniture was sold, did you come to that house in Walcot-buildings for a time yourself?—I kept the shop open after that, till I let the business again, in order that the customers might not go away.

857. *Committee.*] But you resided in your own house?—Yes.

858. Mr. *Clerk.*] Did you continue to live at Bathford?—Yes.

859. But you kept the shop open in Walcot-buildings?—Yes.

860. Did you afterwards let the business to somebody?—I did in November.

861. To whom did you let it?—To a person of the name of Butt.

862. After Gerrish was sold up did he come and live with you for a time at Bathford?—Yes, he made that his home; he stayed there till November; no, till the week before Christmas from September; that was soon after the things were sold.

T. Lewis.

13 July 1857.

863. It was in September that his things were sold up?—Somewhere thereabouts.

864. Did he pay you any rent for the room which he occupied in your house?—No.

865. He paid you no rent?—No.

866. You kept him, and boarded him altogether, did you not?—Yes, he came as a friend, and had his meals, and being a cousin of mine, he made that his home till he could settle his business.

867. Did he go away about Christmas time?—A week before Christmas, by the invitation of his mother and brothers to go up and spend his Christmas there.

868. Did he go away to Hampshire?—Yes, he went to his mother's.

869. At Upton, near Andover?—Yes.

870. *Committee.*] You did not turn him out of the house; he went on an invitation?—I did not turn him out at all; when he came back he came to my house again; he went wherever he had a mind to go to see relations and friends; he was not turned out of the house; he went by the invitation of his friends to spend Christmas, and then, after he had stayed there some time, he came back again; he stayed there till some time in March, I think, and then he came back again.

871. Mr. *Clerk.*] Did he come back at the time of the election?—That happened to be the time when he came back.

872. After the election, did he go back to Upton again?—No, he has not been back since.

873. Has he remained there ever since the election?—Yes, ever since he came down.

874. Had he any furniture in your house?—No.

875. When he went away before Christmas time did he leave anything in your house?—No, he left his steel that he whets his knife on.

876. His butcher's steel?—Yes.

877. Did he leave anything else?—Nothing that I know of.

878. Did you see any clothes of his there?—No; I never examined his clothes, and never looked after them.

879. You do not know whether he left any there or not, do you?—No, I do not know; he must have some clothes to put on; I suppose he brought his clothes with him when he came up; he had some on, I know.

880. I suppose he took some clothes with him, did he not, when he went away at Christmas time?—He did not take much, I think.

881. Did you see him go?—No.

882. Had he many creditors in Bath when he went away?—Yes.

883. He owed a goodish lot of money?—Not a terrible deal; he owed a good deal of money, and he had some money to pay. He will not pay much in the pound, I suppose; but it is not settled yet.

884. Were his creditors pressing him last autumn after you sold him up?—No; nobody ever pressed him; he could not keep on any longer, and I took the goods.

885. After you sold him up, did his creditors press him?—How do you mean "sold him up"?

886. After you distrained upon him for rent?—I sold the goods.

887. Did his other creditors press him for payment?—No; no one has; not that I know of; he has not been pressed at all that I know of.

888. *Committee.*] You sold him up, I suppose, because you thought others would if you did not?—When he gave up his business, I received the goods for my rent.

889. Mr. *Clerk.*] Have you yourself offered a composition of 2 *s.* in the pound to Gerrish's creditors?—No.

890. Have you made any proposition to them?—I have not.—I have told them what he had.

891. Did you tell them he could pay 2 *s.* in the pound?—No; I told them the lawyers said it would not amount to more than 2 *s.* in the pound.

892. When was that?—Some time ago.

893. About Christmas time?—Some time since the goods were sold.

894. Was it after you had taken the goods?—Yes.

895. The lawyers said it might amount to 2 *s.* in the pound?—Yes.

Cross-

T. Lewis.

13 July 1857.

Cross-examined by Mr. *Slade.*

896. You say that the young man made your house his home?—Yes.
897. And is it his home now?—It is his home now.
898. Has it ever been anything but his home ever since he came to live there?—No.
899. If that is not his home, has he any home?—No.
900. You say he came there to make it his home until his business was settled?—Being a cousin of mine, he was very often backwards and forwards.
901. He served his apprenticeship to you, did he not?—Yes; I have known him 30 years, and he spent as much of his time in our house nearly as in Bath.
902. His business is not settled yet?—No.
903. And there he will remain till it is?—Yes.
904. Your wife says he took a carpet bag when he went away?—I did not see him.
905. Your wife is more likely to know better than you what he left behind him?—Yes.
906. You did not go into the room, and did not look into his boxes?—No.

[The Witness withdrew.

Edward Gerrish was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

E. Gerrish.

907. YOU are a Cousin of Thomas Lewis?—Yes.
908. You were in difficulties in Bath last autumn, I believe?—Yes.
909. Besides owing money to your cousin for rent, did you owe money to other creditors?—Yes.
910. Could you pay the rent?—No, I could not.
911. And you were distrained upon, I believe?—I was distrained on.
912. Did he take possession of your house, and did you go to his house at Bathford?—Yes.
913. Can you tell us when you left Bathford?—I went to his house on the 22d of September, I think.
914. And when did you go away from it?—I remained there till, I think, the 11th or 12th of December.
915. Were your creditors rather troublesome?—No; no one was troublesome.
916. But you have not paid them?—No, I have not paid them; my business was not settled.
917. Did you afterwards go to Upton?—I went to Upton in Hampshire.
918. What did you take with you?—A carpet bag such as I carried in my hand.
919. What did you leave behind you?—I left several changes of clothes and things.
920. Any thing else?—Nothing but clothes.
921. Where did you leave them?—At the room I occupied; at Mr. Lewis's.
922. You went to Upton in Hampshire?—Yes.
923. What did you do there; how did you get your living?—I had nothing to do; I did nothing for my living. My brother invited me to spend my Christmas there.
924. How long did you stay?—I stayed till about a fortnight after Christmas.
925. Where did you go then?—I had a sister living in Andover, and she invited me to spend a few days with her.
926. How long did you stay with your sister?—A fortnight.
927. Where did you go next?—I then returned to Upton.
928. How long did you stay at Upton?—I stayed a week at Upton again with my friends on a visit; a few friends I was invited to visit in the neighbourhood.
929. Where did you go then?—To my brother-in-law's; another sister at Bagshot, near Hungerford.

E. Gerrish.

13 July 1857.

930. How long did you stay there?—A week.

931. Where did you next go?—Then I returned to Upton again.

932. When you left Upton did you leave any of your clothes behind?—No.

933. How long did you stay at Upton?—I stayed that time till I returned to Bathford.

934. When did you return to Bathford?—I returned on the Monday before the election.

935. Had you received any application to come and vote?—No.

936. Were you aware that an election was coming on?—Yes.

937. Did you go on purpose to vote?—Not on purpose; no; that was one part of it, but I was very anxious to be in town before on account of my business.

938. What business?—My business was not settled in Bath.

939. To pay your creditors?—Yes.

940. Had you earned any money to pay your creditors?—No; but my debts were not collected.

941. Were your affairs in a solicitor's hands?—Yes.

942. In whose hands were they?—In Mr. Barretté's.

943. Is he a solicitor in Bath?—Yes.

944. Were they in his hands for the purpose of collecting your debts, and settling with your creditors as far as they would go?—Yes.

945. Had he apprised you that the debts would not pay above two shillings in the pound?—Yes.

946. They were entirely in his hands to collect?—Yes.

947. Did you get your expenses for coming?—No, I did not.

948. Did you apply for them?—No; I did not come purposely to vote; I did not apply for them.

949. Have you never received any promise to be paid your expenses?—No; I never received any; I never applied for them.

Cross-examined by Mr. *Slade.*

950. All these parties to whom you paid visits in Hampshire were your relations, were they not?—Not all; they were acquaintances that I had known for many years.

951. And you received invitations?—I did.

952. Were you at all aware when you went away first, on the 11th or the 12th of December from Bathford, that your absence would be so long?—No; I intended to be back before.

953. Had you always an intention in your own mind of returning to Bathford as your home?—Yes, I had.

954. Did you ever quit it permanently to reside elsewhere?—No.

955. And that is why you left what clothes you did not want to take with you?—Yes.

Mr. *Phinn* was heard to sum up the evidence against this vote.

Mr. *Slade* was heard in support of the vote.

Vote good.

ON THE VOTE OF JOHN COOKE.

Mr. *Phinn* proposed to strike out this vote from the number of votes given for the Petitioner, on the ground of non-residence.

The Rev. *John Cooke* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Rev. *J. Cooke.*

956. YOU are a Clergyman, living at Weston-super-Mare?—I am.

957. Did you occupy a house, No. 11, Norfolk-crescent, Bath?—That is my own house, in which I resided up to Lady-day.

958. *Committee.*] Last Lady-day?—Last Lady-day.

959. Mr.

959. Mr. *Phinn.*] Did you afterwards change your residence to Weston-super-Mare —?May I explain myself in a few words?

960. If you please.—Last autumn I was an invalid, and after undergoing a surgical operation I was obliged to go to Weston-super-Mare in November, where I took lodgings, and had my wife and family there; but it is only 30 miles from Bath, and I kept a servant in my house in Norfolk-crescent, and everything in readiness for me to go there when I chose to go, which I did once a fortnight. I had fires lighted, and everything ready.

961. How long did that state of things continue?—From November to the 26th of March.

962. *Committee.*] On what day was the election held?—On the 27th of March, two days after Lady-day.

963. Mr. *Phinn.*] The polling was on the 27th of March?—Yes; and on the 26th, the evening of the nomination, my servant and the last batch of my furniture left Bath; but there were a few trifling articles still left in my house in Norfolk-crescent; they were left till the following Monday, the last day of March.

964. Were the rooms unfurnished?—All the furniture was removed by the evening of the 26th, except those few trifling articles of furniture I have mentioned.

965. Was there any bed left?—Not a bed.

966. Nor a chair?—Nor a chair.

967. So that you could not have slept there on the 26th, unless you had slept upon the bare boards?—I would have slept upon the bare boards if I had known that my vote would have been objected to; if I had known that, I would have had my "lodging upon the cold ground."

968. But in point of fact, you did not sleep there?—No, I did not. I was at Weston-super-Mare.

969. And you had not intended to resume your residence at Bath for some time to come, had you?—I intend to go back to my house when I regain my health.

970. But until you regain your health you intend to reside at Weston-super-Mare, do you not?—Yes.

971. *Committee.*] It is still your house, is it not?—Yes, it is still my house.

972. It is not a question of property?—No, it is a question of furniture.

973. Mr. *Phinn.*] Has there been a bill up, "To let"?—Yes.

974. When was that bill first put up?—The beginning of March.

975. After the beginning of March you intended to let it to a tenant, if you could find one?—Yes, I intended to let it unfurnished; but there was no furniture removed until the 24th of March.

976. *Committee.*] On what day was the nomination?—On the 26th; I have brought the carrier's receipt with me (*producing it*), to show that the furniture started on the evening of the 26th, and it was paid for at Weston-super-Mare on the morning of the election day, the 27th.

977. Mr. *Phinn.*] Had you any other residence at Bath?—No, only at No. 11, Norfolk-crescent.

978. Did you come up from Weston-super-Mare to vote?—Yes, that very day.

979. The 27th?—Yes.

980. And you returned the same day?—The same night.

981. Were you at Weston-super-Mare to receive the goods when they arrived?—Yes; and the whole week before I was at Bath, to see the furniture packed, and to pack my own books, which I would not let them handle.

982. Can you tell us the last time you had slept in the house?—The week before the election, which was on a Friday, I was there nearly the whole of the week, and I slept there every night.

983. When you left it, did you leave it with the intention of not sleeping there again; when you gave orders for your goods to be removed, had you the intention of not sleeping there again until your health should be restored?—That is such a metaphysical question that I cannot answer it; I never thought of that; my mother lives in the town; so most probably I should have gone to her residence.

Rev. *J. Cooke.*

13 July 1857.

984. When was it that you gave the order to remove your goods, do you recollect; the final order?—On the Thursday, in the week before the election, I gave the final order.

985. That is the Thursday week before the election?—Yes, I then gave a final order that everything was to removed.

Cross-examined by Mr. *Cooke.*

986. Of course you are rated to the poor rates?—Yes.

987. Did you pay the poor's rates after March; do you recollect the date of the last rate?—I paid all the town rates and all the poor rates.

988. Did you not pay rates for that house which became due after the 26th of March?—I cannot remember.

989. Have you got your rate receipts with you?—No, I have not.

990. Can you tell me whether since the time you voted you have paid to any collector any money?—I have paid no rate collector in Bath since I voted; only the rate collectors in Weston-super-Mare.

991. The house has continued down to this time in your own occupation, has it not?—Yes.

992. Have you got the key?—Yes, I have got the key.

993. There is no tenant of the house?—No.

994. When were the articles that you left there removed?—On the Monday after the last day of March, and they cost 16 *s.* for the carriage by railway, which proves that they were not very trifling.

995. You paid 16 *s.* for the carriage of them from Bath to Weston-super-Mare?—Yes.

996. That is about 30 miles, I believe?—Yes.

Examined by the *Committee.*

997. The polling was on the 27th of March, was it not?—Yes.

998. That was the day on which you recorded your vote?—Yes.

999. Were you on that day a resident of Bath?—On that day I was a resident both in Bath and in Weston-super-Mare. I have been a native of Bath and a resident there all my life. My parents settled down there, and I should not have been at Weston-super-Mare if I had not lost my health last autumn.

1000. The Act of Parliament says that at the time of voting the voter shall continue to reside within the borough; at the time you gave your vote, were you continuing to reside within the borough?—I must take two or three minutes to think over that question before I can give an answer to it.

[The Witness withdrew.

Mr. *Phinn* was heard to sum up the evidence in support of his objection to this vote.

Mr. *Cooke* was heard on the part of the petitioner in support of the vote.

Vote good.

ON THE VOTE OF JESSE STAMP.

Mr. *Clerk,* on behalf of the Sitting Member, proposed to strike out this vote as a vote given for the petitioner, on the ground of non-residence.

Mr. *William Oakley* was called in; and, having been sworn, was

Examined by Mr. *Clerk,* as follows:

Mr. *W. Oakley.*

1001. ARE you the Governor of Taunton Gaol?—I am.

1002. Do you know Jesse Stamp?—I know a person of that name.

1003. Let Jesse Stamp be called in (*the Voter was called in, and pointed out to the Witness*); is that the person?—It is.

1004. Was

Mr. *W. Oakley.*
13 July 1857.

1004. Was he committed to your custody?—He was.
1005. Have you there the warrant of commitment?—I have (*producing it*).
1006. When was he committed to your custody?—He was received into the County Gaol on the 21st of January last.
1007. Was he an insolvent debtor?—He was. He afterwards took the benefit of the Insolvent Act.
1008. Will you read the commitment, if you please, or state the effect of it?—It is the high sheriff's warrant. He was received on the 21st of January under a warrant of the high sheriff, dated the 19th of January.
1009. *Committee.*] How long was he in custody?—He was discharged on the 10th of February by order of the Insolvent Court. It was a *ca. sa.* from the Exchequer in an action to satisfy James Howe in the sum of 57 *l.* 5 *s.* 3 *d.*, and it directs me to detain him in custody.
1010. How was he discharged?—By an order of the Insolvent Court.
1011. Do you produce it?—Yes (*producing the document*).
1012. What is the date of it?—The 10th of February. It is signed by the judge of the county court.
1013. How far is Taunton from Bath?—Fifty-five miles.
1014. During that time was he in your custody; was he in your custody during those three weeks?—He was; from the 21st of January to the 10th of February.

[The Witness withdrew.

Jesse Stamp was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

J. Stamp.

1015. WHAT are you?—A builder.
1016. Did you formerly live in Bath?—Yes.
1017. Where?—At No. 1, Warwick-place, Wells-road.
1018. Who was your landlord?—Mr. Saunders.
1019. Did you, some time in August, sell off your stock?—Yes; it was sold off.
1020. Was that under a bill of sale, or what?—Yes, it was.
1021. It was sold under a bill of sale?—Yes.
1022. What became of your house?—I sold that.
1023. Did you quit the possession and occupation of it?—That was not my house that I had when I lived in the Wells-road. I rented that of Mr. Saunders.
1024. When did you give that up?—I gave it up in September last.
1025. Your goods were sold and you gave it up?—Yes.
1026. Are you a married man?—Yes.
1027. Have you a wife?—Yes.
1028. Have you any children?—Yes, nine children.
1029. Where did you go with your wife and nine children?—Over to mother's.
1030. Your mother or your wife's mother?—My mother.
1031. Where does she live?—At Dunkerton.
1032. That is about two miles from Bath, is it not?—Yes.
1033. How long did you stay at your mother's?—I stayed there from August till the 25th of March last.
1034. Were you not at Taunton in the meantime?—Yes, but my wife and family I mean were there.
1035. Your wife and family stayed at your mother's, and you went to Taunton?—I did; I was there three weeks.
1036. Did you take the benefit of the Insolvent Act?—Yes; the Judge gave me a certificate.
1037. That is he gave you what is called a protecting order, in fact?—Exactly so.
1038. And then you went back to your mother's?—Yes; I went back to mother's and stopped there till the 25th of March, and then I took a cottage where my family is living now.
1039. Where is that cottage?—Close by my mother's, at Dunkerton.
1040. How far off is that from your mother's?—It is not a hundred yards from mother's.

J. Stamp.
13 July 1857.

1041. Did you pay your mother anything while you were living with her?—I did; I paid her thirty shillings; one pound ten.

1042. Altogether?—Yes; I paid her bills that she had owing.

1043. Was that thirty shillings which you paid her for food, or what?—No, it was for staying with her; for her house-room.

1044. *Committee.*] Was that so much a week that you paid her, or did you give it her as a sum?—No; mother had a bill due, and I told her I would pay it for stopping with her.

1045. You paid the whole as one payment; as present or as compensation to her?—Exactly.

1046. Mr. *Phinn.*] You did not, when you went there, make any arrangement to pay her so much a week?—I told mother I should satisfy her when I returned a bit: I be faithful to mother.

1047. Did you pay for your own food while you were there?—I found food for my wife and family.

Cross-examined by Mr. *Cooke.*

1048. You made an unfortunate contract I believe as a builder, which involved you in difficulties for a short time?—I did so.

1049. You made an estimate which turned out to be under the mark, I believe?—I did.

1050. You mentioned, I think, that in addition to the thirty shillings which you paid, you discharged some bill which your mother owed?—No; that is the sum that I paid; thirty shillings.

1051. But still your wife and nine children were residing at this place, Dunkerton, while you were at Taunton?—No; not all nine, because some of my children are out.

1052. Your absence at Taunton was compulsory, was it not; you did not go there of your own accord?—No, it was compulsory.

1053. You came back again as soon as you were allowed by law to do so, did you not?—I did.

1054. And you stayed at your mother's until a cottage was ready for you at Lady-day?—Yes.

1055. And you then took your family from your mother's to the house in which you now reside?—Yes; and my family is there now.

1056. Did you ever intend to leave the neighbourhood of Bath?—No; I was obliged to do so through bad misfortune.

[The Witness withdrew.

Mr. *Phinn* was heard to sum up the evidence in support of his objection to this vote.

Mr. *Cooke* was heard on behalf of the petitioner, in support of the vote.

Vote struck off.

ON THE VOTE OF JOHN COLEMAN.

Mr. *Cooke* proposed to strike out this vote, as a vote given for the Sitting Member, on the ground of non-residence.

John Coleman was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

J. Coleman.

1057. DO you carry on business as a Fishmonger at 73, Ratcliffe-street, Bristol?—Yes.

1058. You have lived in Bristol a good many years, have you not?—Yes; I was bred and born there.

1059. Did you some time ago purchase a fish business in Bath?—Yes, some three years ago; three years ago the 25th of last March.

1060. Was that at 26, Westgate-street?—Yes.

1061. You are a married man with a family?—Yes.

1062. You

1062. You and your family have always resided at Bristol, have they?—Yes; sometimes my wife and family would go over to Bath for three or four days, or a week sometimes; myself, in fact, I went over two or three times a week.

1063. You had a return ticket?—Yes, I have had a return ticket.

1064. That is your usual way of working the business?—Yes.

1065. Who have you in the shop at Bath?—My wife's sister.

1066. Any other person?—No; I have to employ a young man to attend to the shop as well.

1067. And your wife's sister to manage the house?—Yes.

1068. Were there any rooms allotted or set apart for you?—I have one room for my own use, in case I should want to sleep there.

1069. Where was that?—Upstairs, on the second floor.

1070. Not furnished, was it?—Yes; it was furnished.

1071. I believe that want never arose?—Yes; I have slept there on several occasions.

1072. How long ago; not within the last two years?—Yes.

1073. Did you, on the 25th of March, make over the business to that young man?—I did.

1074. What is his name?—William Woodrow.

1075. On the 25th of March he became the master of the establishment?—Yes; but still the house will be in my possession; I shall pay rent and taxes for it up to the 29th of next September; I shall be responsible.

1076. Have you not sublet it to him up to the 29th of September?—If he approves of the business and fancies it will answer his purpose, he will then on the 29th of September take to the shop.

1077. Is not he liable to pay you rent from the 25th of March?—He will pay it, but I shall be answerable to the landlord.

1078. He is to pay you and you are answerable to the landlord?—Exactly; that is it.

1079. Did you move away your furniture on the 25th of March?—Some of it; and some is there still.

1080. For his use, is it?—No; for me; my own use.

1081. In the other man's house?—Yes; you know I have not taken it away till I find he will take to the shop; he is quite undecided until the time expires.

1082. Mr. Woodrow is managing the business now, and has been since the 25th of March?—Yes.

1083. For his own profit?—For his own profit.

Cross-examined by Mr. *Phinn*.

1084. Have you gone on in this way with Woodrow for some years?—No.

1085. In the way you first described to us, keeping a room there and going over whenever you liked to sleep there?—Yes; that has been the case since I took the place.

1086. When was that?—Three years ago the 25th of last March.

1087. Did your wife sleep there?—Yes, occasionally.

1088. When she wanted a jaunt over to Bath for better air?—Yes; and on business as well; perhaps she might want to go and see how things were going on when I had not time to go there myself.

1089. She had a bed there?—Yes.

1090. Was there a room kept for that purpose?—Yes.

1091. Is there still?—No, not now.

1092. Is your furniture there now?—Yes, some of it.

1093. Have you slept there lately?—No.

1094. When last did you sleep there?—Really I cannot remember; not within a twelvemonth, but my wife and family have repeatedly; but at the same time I could call there at any time, and I have still a key, so that I can go in there now at any time I like.

1095. You do not give up your control of the house?—Not till the 29th of September.

 1096. You

J. Coleman.

13 July 1857.

1096. You keep a key, so that you can go in and out when you like?—Yes, even now if I wish.

1097. He is to see whether he likes the business, and if he likes it he is finally to take to it in September?—On the 29th.

1098. Are you looking after it, and seeing how it goes on in the meantime?—Yes; and I supply him with goods.

1099. He is to pay you rent, as I understand you?—The rent is paid in my name.

1100. You are liable to the landlord still?—Exactly so.

1101. Where was the room where you used to sleep?—On the second storey.

1102. Is there some furniture there now?—There is.

1103. Have you moved any from it?—Some of it.

1104. When did you move it?—I think the first week in April.

1105. You recollect the 27th of March; the day of voting?—Yes.

1106. Was your furniture all there then?—It was.

1107. And were you able to sleep there if you liked?—If I chose.

1108. And you kept the key for that purpose?—Yes, to go in whenever I liked.

1109. In the day or night?—Yes, whenever I pleased.

Re-examined by Mr. *Cooke*.

1110. I thought you told my friend, since the 25th of March there had been no room kept?—There has been a room. I said there was a room for me in case I chose.

1111. Have you not already stated that there was no room kept after the arrangement of the 25th of March?—There was a room there.

1112. Was there a room kept as it was before after the 25th of March; as it was before?—Yes; I could have slept there if I wished.

1113. Was there a room kept?—Yes.

1114. There was no alteration?—Part of the furniture; there was no furniture removed out of the room till the first day of April.

1115. Was the room kept?—Yes.

1116. Stop a minute to hear my question; was there a room kept after the 25th of March as there was before?—Yes, there was a room kept if I chose to make use of it.

1117. Do you mean that there was any bargain of that sort?—I could sleep in the room.

1118. Was there a special agreement made then?—Yes; I could if I chose.

1119. You mean there was a special agreement?—If I chose I could sleep there, and even now.

1120. Then there was a special agreement?—Yes; and even now I could go and sleep in the house if I thought proper.

1121. What has been the effect of the alteration?—That if he found the shop would answer him he was to retain it; if he found it would pay him.

1122. Will you swear your wife and family have slept in that house since Christmas?—Yes.

1123. Tell me when?—Perhaps about February.

1124. Can you give me any part of February?—I cannot say to any day.

1125. But they would?—Perhaps about the middle of February.

1126. What brings that to your recollection?—Because my wife was poorly and some of the children, and they went over there.

1127. To Bath?—Yes.

1128 Did not your wife's sister leave the premises on the 25th of March?—Yes.

[The Witness withdrew.

Mr. *Cooke* was heard to sum up the evidence in support of his objection to this vote.

Mr. *Phinn* was heard in support of the vote.

Vote good.

ON THE VOTE OF EDWARD BARTLETT.

Mr. *Rodwell* proposed to strike out this vote as a vote given for the Sitting Member, on the ground of non-residence.

Edward Bartlett was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows: *E. Bartlett.* 13 July 1857.

1129. WERE you formerly an inn-keeper at Bath?—Yes.

1130. What inn did you keep?—The Full Moon.

1131. Who succeeded you?—Mr. Gregory.

1132. When did he take your business off your hands?—On the 8th of January last.

1133. Where did you go then?—About a mile out of Bath, on the Tiverton road.

1134. Did you afterwards go to Tiverton?—No; to Sidmouth.

1135. When did you go there?—I cannot tell exactly; I was in Sidmouth about three weeks, and I came back the day before the election.

1136. *Committee.*] Do you not know when you went to Sidmouth?—I was in Sidmouth about three weeks; it may have been a few days more.

1137. Are you a married man?—Yes. I was not married at that time.

1138. When did you go to Sidmouth?—I do not know the date. I was in Sidmouth about three weeks.

1139. Was it in January, February or March?—In March.

1140. Early in March?—I was there about three weeks; perhaps two or three days more, and I came back from Sidmouth to Bath the day before the election.

1141. Mr. *Rodwell.*] You say you went to Sidmouth?—Yes.

1142. In March?—Yes.

1143. Where did you go to in Sidmouth?—I took apartments there.

1144. I believe you had a child there at that time?—Yes; I have one now, I hope.

1145. When you left Bath you had a child?—Yes.

1146. Had that child been living with you till you left?—Not up to the time that I left.

1147. When did it cease to live with you?—When I left the Full Moon I went to apartments myself, and the child was with a man named Huntley, the ostler at the Full Moon.

1148. You left that child with Huntley when you left Bath?—Yes.

1149. *Committee.*] When you left the Full Moon?—And when I left Bath.

1150. Mr. *Rodwell.*] When you left the Full Moon, where did you go to?—Between Bath and Tiverton; about a mile out of Bath.

1151. You left your child with this man on the 8th of January?—Yes.

1152. Why did you leave him with Huntley?—I left my goods, what I had, with him, as well.

1153. You left your furniture with Huntley too?—Yes.

1154. Where does Huntley live; in Bath?—Yes, in the Wells-road.

1155. Did you leave your furniture for Huntley to take care of?—Yes.

1156. And the child also?—Yes.

1157. *Committee.*] Where is Huntley's house?—In the Wells-road, in Bath.

1158. Mr. *Rodwell.*] Had you any lodgings in Bath at the time you left your child there?—I was in lodgings in Bath.

1159. Where?—Not in Bath exactly; at Tiverton.

1160. Was it a furnished lodging?—Yes.

1161. You had no furniture of your own?—No.

1162. After you had been at that lodging, did you go to Sidmouth?—Yes.

1163. Did you take your furniture with you to Sidmouth?—No.

1164. You left it with Huntley as before?—Yes.

1165. Did you take with you what you had at the furnished lodgings?—Not all; I did not take more than I thought I should want for a few weeks.

E. Bartlett.

13 July 1857.

1166. What did you go to Sidmouth for?—Principally for my health.

1167. When you came back to Bath, where did you go to?—I took a house at Tiverton.

1168. How far is that from Bath?—About a mile.

1169. At the time you left to go to Sidmouth had you any home of your own in Bath?—No.

1170. And your furniture and your child you left with Huntley to take care of?—Yes.

1171. Was that because you had no house of your own wherein to put your child and furniture?—Yes.

1172. I am told that it was not furniture that you left at Huntley's; how is that?—It was boxes and things.

1173. Then you had no residence at Huntley's?—No.

1174. You merely left them with him to take care of for you?—Merely to take care of for me; my child was there.

1175. But you had no room at Huntley's?—No.

1176. *Committee.*] Did you make any arrangement with the party to whom you let the Full Moon, that you should have a room there?—No.

1177. Nothing of the kind?—No.

1178. When did you return from Sidmouth?—The day before the election.

1179. Mr. *Rodwell.*] I believe you received your travelling expenses?—I did.

1180. Both ways?—Yes.

1181. There and back?—Yes.

1182. From Sidmouth to Bath, and from Bath back to Sidmouth?—

Cross-examined by Mr. *Clerk.*

1183. Huntley was a friend of yours?—He was my ostler.

1184. Are you a widower?—I was at the time, but I have married since.

1185. Had you more than one child?—Yes; three.

1186. I understand you to say that when you gave up the Full Moon in January you went and took a lodging at Tiverton?—Yes.

1187. Did you remain at Tiverton about two months till the beginning of March?—Yes.

1188. Did you then go to Sidmouth for your health?—I went there principally for my health.

1189. Did you intend to return to Bath where you had left your child?—Yes.

1190. Was all your furniture in Huntley's house?—All the furniture that I had.

1191. When you came back to Bath did you go back to Huntley's house and live with him at the time of the election?—No.

1192. Where did you go to?—I took apartments.

1193. But where did you go before you took apartments?—I went and took apartments directly, and I never slept at Huntley's house in my life.

1194. *Committee.*] When you returned to Bath to vote at the election, where did you go to?—I took apartments.

1195. Mr. *Clerk.*] Where was that?—In the Wells-road.

1196. Is that near Huntley's house?—No; it is nearly a quarter of a mile from it.

1197. Did you remain there till you married?—Yes.

1198. And then you took a house at Tiverton?—Yes.

1199. Where you now reside?—No; I do not reside there now; I have left there now.

1200. I believe you have taken a business at Chippenham since then?——Yes.

1201. During the three weeks you were at Sidmouth, you were not carrying on any business there?—No.

1202. And did you intend to return to Bath where you had left your child?—Yes.

1203. *Committee.*]

1203. *Committee.*] When do you say you took these apartments in Bath—I do not mean those in the Wells-road, but somewhere near Bath?—When I first left the Moon, on the 8th of January.

1204. You took these apartments then?—Yes, or within a day or so.

1205. How long did you keep those apartments?—Till I went to Sidmouth, and then I gave them up.

1206. Then you gave them up entirely?—Yes.

1207. And then you had not a house in Bath?—No.

1208. Mr. *Clerk.*] Then you went to Sidmouth, and came back?—Yes.

1209. *Committee.*] To the same apartments?—At Tiverton.

Re-examined by Mr. *Rodwell.*

1210. You came back to vote?—I did vote.

1211. Had you your expenses paid when you came up to vote?—Not till after I had voted.

1212. You knew when you left Sidmouth, did you not, that you would have your expenses?—No, I did not know it; if I had not come up then, I should have come up the week following.

1213. You would not have come up at that time, would you, if it had not been for the election?—No; I do not think I should have come up just then unless it had been for the election.

Examined by the *Committee.*

1214. Where were your other two children?—One is apprenticed in Bath to a chemist.

1215. They are both out?—Yes.

1216. Where did you live when you were at Sidmouth?—Sidmouth is a small town; a little seaport town.

1217. Had you lodgings, or were you at an inn?—I was in private lodgings.

1218. How long did you take those lodgings for?—No particular time.

1219. You took them by the week?—Yes.

1220. Did you give them up at the end of three weeks?—About that; it may have been a day or two more.

[The Witness withdrew.

Mr. *Rodwell* was heard to sum up the evidence against this vote.

Mr. *Clerk* was heard in support of the vote.

Vote struck off.

[Adjourned to To-morrow, at Eleven o'clock.

Martis, 14° *die Julii*, 1857.

ON THE VOTE OF CHARLES KING.

Mr. *Slade* proposed to strike off this vote from the votes given for the Sitting Member on the ground of non-residence.

Charles King was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Charles King.

14 July 1857.

1221. WERE you in the year 1856 registered as a voter in Bath for a house No. 3, Chatham-row?—Yes.

1222. You voted at the last election, did you not?—I did.

1223. For Mr. Tite?—Yes.

1224. Was Chatham-row your own house?—It was.

1225. In October 1855 did you go to live at Castle Combe, about 11 miles from Bath?—In December 1855.

1226. Are you married?—I am a widower.

1227. Have you any children?—I have.

1228. Did you take all your family with you to Castle Combe?—I took all the family that I had with me, which was only a daughter.

1229. Have you ever since that period resided in Bath?—No, not to reside there.

1230. Have you ever resided within seven miles of Bath since that period?—No.

1231. I believe you are a local Scripture reader now, are you not?—Yes.

1232. And a preacher?—Yes.

1233. Was your house let after you left it?—No.

1234. It was never let?—No, it was never let. I have had it in my own possession.

1235. But you let it out to various tenants, did you not?—I let it in apartments, part of it.

1236. Did you remove in August 1856 from Castle Combe to Holton, near Wincanton?—I believe it was in October.

1237. That is about 30 miles from Bath, is it not?—Yes.

1238. And have you resided there ever since?—I have been there ever since

1239. Living there?—Yes.

1240. And were you living there and your family, your children?—No.

1241. You answer before you hear my question; were you living there you yourself at Holton when you came up to vote at Bath for Mr. Tite?—I was.

1242. Since you left that house in Chatham-row, in December 1855, have you ever slept there?—No, not in the house.

1243. *Committee.*] Have you ever slept in Bath?—Yes; I slept at my daughter's.

1244. Mr. *Slade.*] Is she married?—Yes.

1245. When was it that you slept at your daughter's?—I cannot say; immediately when I came into Bath, sometimes once in two or three weeks.

1246. You went on a visit to her?—Yes, for my better accommodation; because she did not wish me to sleep at my own house.

Cross-examined by Mr. *Clerk.*

1247. There was better accommodation at your daughter's, and so you went there?—Yes.

1248. Had you always kept a room in the house in Chatham-row?—I always had two rooms.

1249. You always had two rooms of your own there?—Yes, until since the election.

1250. When did you give up those two rooms that you had in that house?—On the 27th of April.

1251. Then

1251. Then from the time that you went to Castle Combe in 1855 was the house let out in lodgings, except those two rooms?—Yes.

1252. And were those two rooms furnished?—No; I had a little furniture there.

1253. Might you have slept there if you had chosen?—I cannot say that it was exactly fit for reception.

1254. But if your daughter had not been there, and, as you say, she had more comfortable accommodation for you, should you have gone and slept at your own house?—I should have made it convenient for that purpose.

1255. Your house has been in this state ever since December 1855?—It has.

Re-examined by Mr. *Slade*.

1256. These two rooms that you kept, you kept for stowing away what little furniture you had, did you not?—I brought all my furniture back from Castle Combe, and put it in those rooms during the time I have been at Holton.

1257. Then these rooms were a sort of warehouse for your furniture?—Yes.

1258. Then you used the rooms for stowing away the furniture which you brought back from Castle Combe?—Yes.

1259. Were the rooms full of the furniture?—No.

1260. They were not full?—No.

1261. But they were used as warehouse rooms for the furniture, and not as a place to go and live in?—I could have lived in them on April the 27th; I removed it into one room, making it a store-room.

1262. Did you intend to keep them for living rooms?—I intended to keep them for living rooms; it was not certain but what I should have to return.

1263. But you did not return?—I did not return.

Examined by the *Committee*.

1264. Did you ever try to let these two rooms?—No; I have, since April the 27th, tried to let them, and have let them.

1265. And have you taken your furniture out?—Yes, and put the furniture into one room.

1266. Not one of those two rooms?—No.

1267. You have taken the furniture out of the rooms you had, and now you let them to somebody else to live in?—Yes.

1268. When was it that you went to Holton?—In October 1856.

1269. And it was in October 1856 that you brought back your furniture from Castle Combe to these rooms?—Thereabouts.

1270. What furniture had you in those rooms before you moved your furniture from Castle Combe?—It was very little that I left behind?—I cannot say exactly; a table and a few chairs, and a bedstead.

1271. Was there a bed and bedding, and so forth, there?—There was no bed.

1272. There was no bed or bedding?—No.

1273. There were no sheets, or anything of that kind?—No.

1274. Was your bedstead put up?—No.

1275. Was it taken to pieces, and put aside?—It stood in the room.

1276. Was it taken to pieces?—Yes, it was taken to pieces.

[The Witness withdrew.

Mr. *Slade* was heard to sum up the evidence in support of his objection to this vote.

Mr. *Phinn* was heard in support of the vote.

The *Committee* having deliberated,

The *Chairman* stated, that the Committee had decided that cases not objected to before the Revising Barrister, and where no change of circumstances had since occurred, should not be gone into.

Vote good.

Mr. *W. Oakley.*

14 July 1857.

Mr. *William Oakley* was again called in; and, having been sworn on a former day, was Examined by Mr. *Slade*, as follows:

1277. YOU informed us, yesterday, that you are the Gaoler of Taunton Gaol?—Yes.

1278. Do you know John Crisp?—I do.

1279. Was he in your custody, in Taunton Gaol, in the course of last year?—He was received into Taunton Gaol on the 20th of January this year.

1280. Was he under a ca. sa.?—Yes.

1281. You have there the warranty of commitment, have you not?—I have (*producing it*).

1282. Was he afterwards discharged, by order of the Insolvent Court, in February 1857?—He was discharged on the 10th of February 1857, by order of the judge of the county court.

1283. Have you the order discharging him?—Yes, I have.

1284. *Committee.*] When was he received?—On the 20th of January.

1285. And when was he discharged?—On the 10th of February.

1286. Mr. *Clerk.*] He was discharged by order of the county court judge, sitting in insolvency cases?—Yes.

[The voter, *John Crisp*, was called into the room, and pointed out to the Witness.]

1287. Is that Mr. Crisp?—Yes.

1288. Was there also a person of the name of John Clarke in your custody?—Yes.

1289. Also an insolvent, I believe?—Yes.

1290. When was he committed?—On the 10th of February this year.

1291. Was that on a ca. sa. also?—Also on a ca. sa.

1292. He was discharged on the 10th of March, I believe?—He was discharged on the 10th of March.

1293. Also by the order of the county court judge sitting in insolvency?—Yes.

[The voter, *John Clarke*, was called in, and pointed out to the Witness.]

1294. Is that John Clarke?—Yes.

1295. Was James Parsons also received into your custody in the gaol?—He was, on the 10th of February.

1296. Was that also on a ca. sa.?—I believe that was also on a ca. sa.

1297. And was he likewise discharged by order of the county judge sitting in insolvency on the 10th of March?—Yes.

[The voter, *James Parsons*, was called in, and pointed out to the Witness.]

1298. Is that Mr. Parsons?—Yes, it is.

1299. Mr. *Slade.*] All these parties could have got out upon bail, could they not?—Yes.

1300. Mr. *Clerk.*] Would they have had to apply to the judge; the judge would have given his consent?—Yes; or by the consent of the plaintiff.

1301. The detaining creditors?—Yes; he would have been released either on bail, by order of the judge of the insolvency court, or by order of the sheriff, or by arrangement with the detaining creditors.

1302. If the creditors had authorised his discharge, he would have been released?—Yes, by an order of the sheriff.

[The Witness withdrew.

ON THE VOTE OF THOMAS PHILLIPS.

Mr. *Slade* proposed to strike out this vote as a vote given for the Sitting Member, on the ground of non-residence.

Thomas Phillips was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Thomas Phillips.

14 July 1857.

1303. YOU voted for Mr. Tite at the last election?—Yes.

1304. For No. 11, St. John's-place?—Yes.

1305. How long have you left that house?—The latter end of October, or the begining of November, I left it.

1306. Did you give it up to your landlord?—No.

1307. You left it without anybody to take care of it, did you not, and left the key of the door?—No; I never had but two keys, and those were latch keys.

1308. You left the house in October?—The latter end of October, or the beginning of November.

1309. In whose charge did you leave the house?—The person who occupied the kitchen; he was a tenant of mine; he occupied the kitchen as a workshop; there were two latch keys, and he had one of them, and I had the other; those were the only keys that I ever had to the front door.

1310. You left the house?—I moved my things to a neighbouring house for a home for my children.

1311. Did you clear out that house when you left it in October, or the beginning of November?—Not entirely.

1312. What did you leave behind?—A few things.

1313. What were they?—I cannot exactly say.

1314. Oh, yes, you can; come, what did you leave behind?—I left gas-fittings, and a partition, and a sign.

1315. Hanging up?—Yes.

1316. What was the sign?—The sign expressing my business.

1317. What was your sign; what was your business?—A tailor.

1318. Was it a pair of shears?—Yes.

1319. You left the shears behind you, and the gas-fittings?—And a piece of wood.

1320. With those exceptions, you cleared out bag and baggage?—There might be a few other things.

1321. Tell us what there was besides?—I cannot exactly say.

1322. Tell us; you know whether you left anything or not?—I know I moved my things out to a neighbouring house.

1323. Upon your oath, did you leave anything but what you have told us, the shears and the gas-fittings?—I left no shears.

1324. You said just now that you did?—I left a sign; the shears was your suggestion.

1325. *Committee.*] What do you mean by a sign?—A board painted with my name and trade written upon it.

1326. You say you left your shears behind you; what do you mean by shears?—I did not say shears.

1327. Mr. Slade asked you if you left a pair of shears there, and you said yes; then you did not leave a pair of shears?—No.

1328. Mr. *Slade.*] What was on the board?—"Phillips, Tailor, &c."

1329. You left that behind?—Yes.

1330. And you left the gas-fittings?—Yes.

1331. And what else?—And a partition.

1332. That was a fitting of the house, was it not?—Yes.

1333. Did you leave anything else?—Well, I do not remember what else, but there were several little things.

1334. What do you mean by little things; these are large things that you have spoken of, gas-fittings, the partition, and the sign-board?—I have nothing more to state that I left.

1335. May I take it that you left nothing else?—Not of any consequence.

1336. Not even a mouse-trap?—Not that I am aware of, or a rat-trap.

1337. *Committee.*] Did you take your shears with you?—No.

1338. Had you not any shears that you used in your trade?—Yes.

 1339. Did

Thomas Phillips.

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1339. Did you take them with you?—Yes.

1340. Mr. *Slade.*] Did you go to Birmingham?—Not at first.

1341. Where did you go first?—To Newport and Monmouth.

1342. How long did you live there?—About three weeks.

1343. Did you carry on your trade there?—I did a little there.

1344. Did you work there as a journeyman?—No.

1345. As a master?—Yes.

1346. Then you must have taken some premises?—No; I had private lodgings, and executed a few orders which I obtained.

1347. You were three weeks there?—Yes.

1348. Where did you go then?—To Monmouth.

1349. How long did you stay there?—A fortnight.

1350. Had you lodgings there again?—Yes.

1351. Where did you go to then?—I returned to Bath.

1352. Where did you go to at Bath?—Where I had left my children.

1353. Where was that?—At No. 3, Trim Bridge.

1354. How long did you stay there?—Two or three days, three or four days.

1355. Where did you sleep?—I slept there with my family at Trim Bridge.

1356. Have you any wife?—No.

1357. *Committee.*] When did you return to Bath?—It must have been about five weeks. I was about three weeks at Newport, and about a fortnight in Monmouth.

1358. You were in private lodgings?—Yes.

1359. Mr. *Slade.*] What was this place at Trim Bridge where your children were?—A private house

1360. What part of that house did you occupy?—The drawing-room.

1361. How many rooms did you occupy?—Only one.

1362. How many children had you?—Five.

1363. Did they all sleep in that room?—It is a very large room.

1364. I do not ask you that; did they all sleep in that one room?—Yes.

1365. How old is your eldest child?—Fifteen years of age now.

1366. She slept in that room with the other children?—Yes.

1367. How many beds were there?—Three.

1368. Divided among five?—Six.

1369. Who was the sixth?—I slept there myself with my family.

1370. You slept there, with a girl of 15 in the room?—It was not like one room; it was divided, of course.

1371. How was it divided?—I am not devoid of common decency.

1372. How was it divided; you said it was one room?—So it is one room.

1373. How was it divided?—By curtains and screens, and so forth.

1374. Has it always got curtains and screens?—Yes.

1375. How long were you there?—My family is there now.

1376. How long were you there when you came back from Monmouth?—Two or three days.

1377. Will you swear to two days?—Yes.

1378. Will you swear to three: take care?—No, perhaps not. From Saturday, I think, to Tuesday morning.

1379. Will you swear to three days?—Fom Saturday to Tuesday morning.

1380. Did you sleep there three nights?—Saturday, Sunday, and Monday; yes, to the best of my knowledge, as much as I recollect.

1381. Where were you going back to?—To Birmingham.

1382. You were going on to Birmingham?—I came from Birmingham to Bath.

1383. Just now you said you went to Monmouth?—I beg your pardon, I made a mistake. I came from Monmouth then at that time; I was thinking of afterwards.

1384. Were you on your way to Birmingham?—(*No answer.*)

1385. Were you on your way to Birmingham?—Stop; I think I have made a mistake.

1386. I think you have, and a very considerable one?—It was from Newport I came back to Bath; I have made a mistake; it was from Monmouth I went to Birmingham.

1387. Try and recollect yourself. Before you went to Monmouth from Newport, you came back to Bath?—I did.

1388. On

Thomas Phillips.

14 July 1857.

1388. On that occasion, how many days were you in Bath; upon your oath?—From the Saturday to the Tuesday.

1389. Had you a return-ticket?—I had not.

1390. You came from Newport to Bath; what for?—To see my family.

1391. To see your family?—Yes.

1392. Did you remain there Saturday, Sunday, and Monday?—Yes.

1393. Then you returned to Monmouth?—Then I went to Monmouth; I did not go to Newport again.

1394. You had left Newport?—Yes.

1395. And came again to Bath; you were three days there, and then you went to Monmouth?—Yes.

1396. How long did you remain at Monmouth?—A fortnight.

1397. Where did you go to from Monmouth?—To Birmingham.

1398. What did you do at Birmingham?—I was at work there; I got employment.

1399. How long did you remain at Birmingham?—Until the election came on.

1400. The election at Bath?—Yes.

1401. Were you written to to come up?—I wrote down to a friend of mine to make inquiries as to whether my vote was right or not, which I knew it was. I wrote down to make inquiries.

1402. And you came up to vote?—And I came down; yes, I came down to vote.

1403. You came down to vote?—Yes.

1404. And you got your expenses paid, did you not?—I did.

1405. Both ways?—Both ways.

1406. When you went up to Bath, you went there with the intention, did you not, of giving your vote, and going back to Birmingham?—It was my intention to go back if something had not offered to my advantage to stay at Bath.

1407. You sacked the money for your return-ticket back again, did you not?—I did.

1408. You got the money, and kept it?—I did.

1409. You never offered to return it to the gentleman from whom you had received it?—No, I did not.

1410. Perhaps it would have been as honest if you had, would it not?—I do not see much breach of honesty in it myself. The gentleman who paid me was under the impression that I was going back.

1411. And so were you, I suppose, or you surely would not have taken it?—Yes, I was; I had left my situation open in Birmingham to return to it.

1412. *Committee.*] What were you doing at Birmingham; did you work as a tailor there?—Yes.

1413. On your own account?—No.

1414. Mr. *Slade.*] Were you in lodgings at Birmingham?—Yes.

1415. How long were you there?—From the time I left Monmouth.

1416. When was that?—It must have been about five weeks after I left Bath.

1417. That would be about December, then?—Yes, about that time.

1418. You were living in Birmingham, working there?—Yes.

1419. *Committee.*] As a journeyman?—As a journeyman.

1420. Mr. *Slade.*] You came up to Bath, and you let your master at Birmingham, I suppose, know that you were going back to Birmingham; you kept the place open?—Yes; there was a situation open for me to go back: he was expecting me back, I suppose, because there was no compulsion for me to go back.

1421. But it was your intention to go back, was it not?—Yes.

1422. I should hope it was, because you took the money to go back?—It was my intention to go back if I had not succeeded in Bath.

1423. What occurred when you got to Bath to make you stay?—A person in the trade offered me employment, which I gladly accepted, because my family was living there.

1424. And did you go and live in that room with the curtains?—I did.

1425. Are you living there now?—Yes.

1426. With the curtains?—Yes.

1427. In one room?—Yes.

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1428. With five children?—Yes.

1429. *Committee.*] What was your tenant's name, and what was his trade?—Thomas Galbraith. He had one latch-key to the door, and I had another.

1430. Mr. *Slade.*] You rented that house, did you not?—I did.

1431. But you never rented it since?—Not to occupy it since.

1432. You paid rent for it?—As to the rent, I never paid money for rent; there was an unsettled account between me and my landlord; I always had to receive money from him.

1433. Did you work for him?—Yes.

Cross-examined by Mr. *Clerk.*

1434. Before you left Bath, did you communicate to the gentlemen on the other side the whole of the facts connected with your case. You have been examined, I suppose, down at Bath with regard to your having come from Birmingham to vote. Were you examined by Mr. Williams, or by anybody else?—Yes; there have been questions asked me.

1435. Did you tell them all the facts of your case, how you had left your children, and so on?—I think I stated to them as much as I have stated here.

1436. You had a house, I understand, at No. 11, St. John's-place?—Yes.

1437. Did you fall into difficulties in October last?—I did.

1438. Did you upon that leave the house in St. John's-place in October?—Yes.

1439. When you left that house did you take a large room in Trim Bridge?—Yes.

1440. I believe you are a widower?—Yes.

1441. And you have five children?—Yes.

1442. Did you remove your furniture from St. John's-place to that room?—I did.

1443. You have told them all that on the other side, have you not?—I told them the same as I have told you now.

1444. *Committee.*] Was the furniture removed to the room where the children were?—Yes.

1445. In Bath?—Yes, close; within a few doors of my own residence.

1446. Mr. *Clerk.*] You removed your furniture and the children to Trim Bridge?—Yes.

1447. *Committee.*] And that is your present home, is it?—Yes.

1448. Mr. *Clerk.*] From there you went to one or two places to look for work?—Yes.

1449. After having been away for a short time, did you come back to your children at Trim Bridge?—I did.

1450. Was it after that that you went to Birmingham to work as a journeyman tailor?—I did.

1451. Did you transmit from Birmingham money for the payment of the rent for your family?—Yes.

1452. If you had not found work at Birmingham, should you have come back to Bath?—I should have gone somewhere else to seek work.

1453. But as soon as you found work in Bath, you established yourself there?—Yes.

1454. *Committee.*] What do you pay a year for the room which you occupy?—About 5*l.* 10*s.* a year.

1455. Do you pay any taxes?—No.

1456. Mr. *Slade.*] What do you pay a week?—I think it is about 2*s.* a week.

1457. Mr. *Clerk.*] You have told us you are rather in reduced circumstances?—Yes.

1458. But notwithstanding that, do you take care to observe decency in your domestic arrangements?—Yes.

1459. Have you been living in that room with your family ever since March last, and down to the present time?—Yes.

1460. Carrying on business in Bath?—Yes.

[The Witness withdrew.

Mr. *John Barry* was again called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *John Barry*.

1461. DO you know Phillip?—I do.

1461*. You are, I believe, clerk to Mr. Williams, the solicitor; did Phillip ever state to you anything about what he should have done about going back to Bath?—In reference to what? 14 July 1857.

1462. About coming to Bath to his children, where they were?—He told me that he came from Birmingham to Bath to vote, that he had a place of work there, and that his place of work was open for him; that it was quite open to him to return there.

1463. Anything else?—That had it not been for this election he should not have come to Bath at that period.

[The Witness withdrew.

Mr. *Slade* was heard to sum up the evidence in support of his objection to this vote.

Mr. *Clerk* was heard in support of the vote.

Vote good.

ON THE VOTE OF JOHN VAUGHAN,

Mr. *Cooke* proposed to strike this vote from the poll as a vote given for the Sitting Member, on the ground of non-residence.

Mr. *John Barry* was again called in; and, having been previously sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *John Barry*.

1464. DID you go to Bristol on Tuesday, the seventh of this month, with a Speaker's warrant to serve John Vaughan?—I did.

1465. Did you go to No. 3, Milsom-buildings, Wilder-street, in Bristol?—I did.

1466. Had you known him during the time he was living in Bath?—I did know him.

1467. Did you know the woman he cohabited with?—I did know a person who was formerly in Westgate-street, where he resided, whether she was his wife or not I cannot say.

1468. Did you see her at No. 3, Milsom-buildings?—I did.

1469. Did you apply to her with a view to ascertain, if you could, where Vaughan was?—I did.

1470. What reply did you get?—That he was in Liverpool.

1471. How long were you about the premises on the Tuesday?—Till eleven o'clock in the evening.

1472. Without being able to see him?—Without being able to see him.

1473. Were you there on the Wednesday morning?—I was.

1474. Did you see the same woman again?—I did not.

1475. Did you try to get into the premises?—I did not.

1476. What did you do?—From information I had received I was quite satisfied.

1477. I am afraid we must not have that; what did you do?—I remained opposite to his dwelling.

1478. In the hope of finding him?—In the hope of finding him.

1479. Did you take every means you could to serve him?—Yes.

1480. But you were unsuccessful?—Yes.

Cross-examined by Mr. *Clerk*.

1481. I think you know Mr. John Vaughan?—I do know him.

1482. He is an ironmonger, is he not, or a whitesmith?—He is an ironmonger or blacksmith.

1483. Do you know that he keeps a whitesmith's shop?—An ironmonger's.

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1484. It is not usual to call an ironmonger a blacksmith. Do you not know that he acts as a commercial traveller for his brother?—I am not aware of that fact.

1485. Do you know anything about him?—I know certain circumstances connected with him.

1486. Do you not know that he acts as a commercial traveller for his brother?—I do not.

1487. Do you know that he has been residing in Westgate-street, Bath?—I know he formerly did.

1488. Do you know Mrs. Vaughan, his wife?—I know Mrs. Vaughan, who is said to be his wife.

1489. Do you know that he has a wife?—I know that there is a person who told me she is his wife, and the person I saw at Milsom-buildings told me that she is not his wife.

1490. But you know that he has a wife?—I believe he has a wife.

1491. Do you know that Mrs. Vaughan resides and has resided for many years in that house in Westgate-buildings?—I am not aware that she has within the last year and a half or two years.

1492. Have you not seen her there yourself within that time?—Not myself.

1493. Has he children?—I believe he has.

1494. Where have you seen those children?—I saw some of them in Bristol.

1495. When was that?—On the night of Tuesday the 7th of July.

1496. Have you seen those children in Bath?—I have seen them in Bath, when he has been driving them out in a little four-wheel.

1497. When was the last time that you saw him driving about with his children in that four-wheel?—Upwards of a year and a half ago.

1498. Do you mean to swear that you have not seen him within the last year driving his children?—I do.

1499. Did you serve Mrs. Vaughan when you were down at Bath the other day. Is Mrs. Vaughan here; the wife?—A Mrs. Vaughan is in London.

1500. She is in the passage, is she?—I have not seen her in the passage.

1501. When did you see her last?—I saw her this morning.

1502. Where did you see her this morning?—I saw her in Parliament-street.

1503. Is she with your witnesses?—I am not aware where she is.

1504. Is she with your witnesses?—She is not.

1505. Where is she?—I am not aware where she is.

1506. Are you not clerk to Mr. Williams, Mr. Way's solicitor?—I am not; I am assisting him.

1507. Do you not know where your witnesses are?—I do not know where she is.

1508. But you have seen her this morning, you say?—I have.

Re-examined by Mr. *Cooke.*

1509. I believe it is pretty well known to you that this man and his wife are separated, and that he is living with another woman?—It is well known to me.

1510. Is that the general reputation?—Yes.

1511. These children which you saw with him in Bath you saw on Tuesday, the 7th, did you not?—I could not identify them as being the same children; but I have seen Vaughan in Bath with children, and I have seen children there who have been represented to me to be Vaughan's children.

1512. Do you know the premises where he did live, in Westgate-street, Bath?—Yes.

1513. Has he ceased to live there?—Yes.

1514. Since Christmas last?—Since Christmas last.

1515. *Committee.*] Who is in the occupation of those premises now in Monmouth-street, Bath?—Since Christmas, I believe, they have been used as a warehouse by a Mr. Martin, a grocer; but prior to Christmas they were left unoccupied by Mr. Vaughan.

1516. Was there anybody resident on the premises there at all?—No; they are merely a blacksmith's shop and yard, incapable of being used as a sleeping room; and since that time they have been used as a warehouse by a grocer.

1517. Are they so used now?—To the best of my belief, they are.

1518. Have you seen the house in Westgate-street lately?—Yes.

1519. In

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1519. In whose occupation is that now?—To the best of my belief, I cannot say exactly; but I think it is an earthenware shop. I can hardly describe the nature of the business, but I know that Vaughan is not resident there, because at one time it was fitted up with saucepans, and pots, and things pertaining to the trade, whereas it is not at present.

Re-examined by Mr. *Cooke*.

1520. Do you know that Vaughan has left Westgate-street?—I do.

1521. *Committee.*] Who is in the occupation of the premises now?—I cannot inform you, but they are parties totally distinct, having no connexion whatever with Vaughan.

1522. Is there a name over the shop?—There is no name. I can state further that the name "J. Vaughan" is over the blacksmith's yard and shop in Cave-street, Bristol.

1523. When did he leave the house in Westgate-street?—Upwards of a year and a half ago.

1524. Do you know where he has been residing since then?—I cannot speak to the whole time; I can as to the later portion particularly.

[The Witness withdrew.

John Henry Floor was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

J. H. Floor.

1525. YOU were the poll clerk at the Walcot Booth?—I was.

1526. Do you know John Vaughan?—I do.

1527. A blacksmith or ironmonger?—An ironmonger, or something of that sort.

1528. Did he vote for Tite and Elton at the last election?—He did.

1529. I believe he voted in respect of a shop and yard in Monmouth-street?—Yes.

1530. Do you know the shop in Monmouth-street?—I do.

1531. Is he still residing there, or occupying it?—No, I think not.

1532. How long has he left?—He left before last Christmas; some time before that.

1533. What is become of those premises?—I cannot say.

1534. Are they occupied, do you know?—That I cannot say.

1535. You know, do you not, that he does not occupy them?—He does not occupy them.

1536. Do you know where he resided?—He resided in Charles-street; he had a house in Charles-street.

1537. Had he also a house in Westgate-street?—He had.

1538. Does he reside there now?—I cannot say; I think not.

1539. Do you know whether he resides in Charles-street?—No, he does not; the premises are shut up.

1540. When had you last seen him previous to the time of his voting?—I think about last May twelvemonth.

Cross-examined by Mr. *Clerk*.

1541. What is the population of Bath?—Something over 57,000 was the population at the last census.

1542. Mr. Vaughan had, I believe, resided in Westgate-street before he went to Charles-street?—He did; at least his name was up there and he was in and out of the shop.

1543. He had a shop, as we hear, in Monmouth-street, for which he was registered?—Yes.

1544. That is so?—Yes.

1545. That is not a place where he could have lived, is it?—He might have lived there.

1546. But he did not, in fact, live there?—I cannot say.

1547. But you never knew him living there?—He might have slept on the premises.

1548. Did you ever know him living there?—I do not think I can answer that question.

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1549. Have you seen him living there?—I have seen him living there.

1550. Were you the poll-clerk appointed by Mr. Way, or by the mayor?—By Mr. Way's agent.

1551. And were you paid by Mr. Way?—No, I have never been paid by Mr. Way at all.

1552. By his agent?—Yes.

1553. You were the check-clerk, were you not?—No, I was the poll-clerk.

1554. Did you canvass for Mr. Way before the election?—I did not.

1555. Did you know him residing in Westgate-street at any time?—I have seen him in Westgate-street.

1556. Do you or do you not know that he lived at one time in Westgate-street?—He lived in Westgate-street; if I saw him and he was alive, of course he lived there.

1557. Did he live in Charles-street?—I presume he did.

1558. Did you see him alive there?—I have.

1559. And you have not seen him alive lately?—I saw him in Bristol.

1560. And therefore you presume he lived there?—I did at the time.

Re-examined by Mr. *Cooke*.

1561. When did you see him in Bristol?—Last May twelvemonth.

1562. What sort of man is Vaughan; is he tall or short?—I should say about an inch or an inch and a half or a couple of inches higher than I am, and I am five feet six and a half.

[The Witness withdrew.

William Henry Hawkins was called in; and having been sworn, was Examined by Mr. *Cooke*, as follows:

W. H. Hawkins.

1563. DO you reside at Portland-row, Bristol?—Yes.

1564. And are you not agent to Mr. Milsom, a builder?—Yes.

1565. He is the owner, is he not, of some houses called Milsom-buildings?—Yes, they are called Milsom-buildings or Portland Cottages.

1566. Is it part of your duty to let these houses for him?—Yes.

1567. And you collect the rents?—Weekly.

1568. Who is the person who is in the occupation of the house No. 3, Milsom-buildings?—Mr. John Vaughan.

1569. Does he carry on a trade in Bristol?—Yes.

1570. What is he, an ironmonger?—Something of that kind; I never was in the yard.

1571. He carries on that kind of business, does he?—Yes.

1572. Where does he carry on his trade?—Close adjoining.

1573. What is the name of the place?—Dean-street, I should say Cave-street.

1574. Is there any name over the door?—"John Vaughan," or "J. Vaughan," is on the door, on a zinc plate.

1575. Has he any family living with him in Milsom-buildings?—Yes, and also some children.

1576. How long have you had him living there; since Christmas?—And before Christmas.

1577. What kind of person is he in point of stature?—A tall gentleman, rather inclined to stoop.

1578. Did you ever know him in Bath?—Not at all.

1579. Do you know from him where he came from to Bristol?—No.

1580. Is it Bathe-street?—No, Cave-street.

1581. That is by St. Paul's, is it not?—Yes.

Cross-examined by Mr. *Clerk*.

1582. So your tenant, John Vaughan, of No. 3, is a tall man, is he?—He is a tall gentleman.

1583. Six feet high?—About that height, or rather taller. I know him quite well.

1584. Or six feet one?—He might be that.

1585. What

W. H. Hawkins.
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1585. What sort of business hid he carry on?—The iron business. There is a zinc plate on the door, and it says, "Dealer in Zinc," or something of that kind. In fact, I was never inside the yard, though he has held it for a long time.

1586. You have never been inside the house?—Not inside the yard.

1587. *Committee.*] When was this cottage taken of you?—In October.

1588. October last?—Yes. I should say November the 17th; the rent commenced on the 17th of November; there was a week due the 24th.

1589. And you say he went there before Christmas?—Yes.

1590. When did you see Vaughan last?—On Sunday week.

1591. Mr. *Clerk.*] Had he paid rent regularly up to this time?—Yes; which I have the books in my pocket to prove.

[The Witness withdrew.

Mary Hawkins was called in; and, having been sworn, was Examined, by Mr. *Rodwell*, as follows:

Mary Hawkins.

1592. YOU are the wife of the last witness?—Yes.

1593. He is the agent, he tells us, of Mr. Milsom?—Yes.

1594. Do you know John Vaughan?—Yes.

1595. What is he?—A zinc maker. He keeps a yard by us.

1596. Are there metals in it?—I never saw the yard inside.

1597. When do you first recollect his coming?—In October.

1598. Did he come to you?—Yes.

1599. And what did he ask for?—He asked me to show him the house.

1600. Did he go over it?—Yes, by himself.

1601. And did he after that become tenant?—Yes.

1602. As we have heard from your husband?—Yes.

1603. At the time he came to you did he state where he came from?—From Bath; he came two or three times.

1604. But he finally took the house?—Yes.

1605. Has he also premises in Cave-street?—Yes.

1606. Has he premises there?—Yes; that is where his premises are close by the house.

1607. Have you seen him with any family there?—Oh yes.

1608. How long have they been there?—Before March.

1609. You know them pretty well, I believe?—Yes; I recommended his children to the school, because we lived directly opposite to them.

Cross-examined by Mr. *Clerk*.

1610. Is the woman who is living with this person, whoever he is, his wife; do you know that?—That I cannot say; she passes as such to me.

1611. Have you not reason to know that this woman is not his wife?—No; I had no reason to suppose so till I came to London this morning.

1612. You have learned now that this woman is not his wife?—This morning.

1613. Have you seen Mr. Vaughan's wife?—This morning.

1614. Where did you see her?—I saw her when we came here.

1615. In the passage?—No; in the main road.

1616. Did she come up with you?—No; she was here and went to the office.

1617. What office?—In Park-street.

1618. Messrs. Baxter, Rose, & Norton's office?—Yes.

1619. And you went there with her?—No.

1620. You met her there, did you?—Yes.

1621. Are you staying together at the same hotel?—No, I only came up to day, and I knew nothing about Mrs. Vaughan until she asked me this morning where I was going to.

1622. You had never seen her in Bristol, then?—No.

1623. *Committee.*] Did you ever hear Mr. Vaughan say anything about his wife?—No, he said when he took the house, that he should bring his wife and family.

1624. Mr. *Clerk.*] And you know now that that person is not the woman you saw to day, is not Mrs. Vaughan?—Oh dear yes.

Mary Hawkins.

14 July 1857.

Re-examined by Mr. *Slade.*

1625. Did Mrs. Vaughan tell you that her husband had left her?—

Mr. *Clerk* objects to the question.

The question was waived.

1626. Mr. *Slade.*] By the way in which they were living, you always till this morning considered the woman who was living with him at Bristol was his wife?—Well, yes.

1627. *Committee.*] Did you ever hear Mr. Vaughan say anything about returning to Bath to his business there?—No, he said he had left Bath to come there to reside.

1628. Did you understand from him that he had quite left it?—When he came to take the house.

1629. When was that?—That was in October, the beginning of October.

1630. He then told you he had quite left Bath?—Yes, he hesitated a long time about this house; he said he would go and take a lodging in Cave-street till he could make it convenient to bring his wife and children; and I was to hold the keys for a fortnight for him, which I did, and then he came again and said he would go and see Mr. Milsom, and then he came back and I delivered him the keys.

1631. Was that in the beginning of October?—Yes.

1632. Did this person who you saw this morning, and who you say is Mrs. Vaughan, tell you she was separated from her husband or not?—Yes.

1633. Did she say how long she had been separated?—No.

[The Witness withdrew.

Mr. *Isaac Williams* was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *J. Williams.*

1634. DO you know Mrs. Vaughan?—I know a person who has represented herself to me as Mrs. Vaughan, and she told me that she had not spoken to her husband for five years.

1635. *Committee.*] Are you sure that she used those words?—Yes.

1636. You brought her up here intending to examine her?—I brought her up intending to examine her, and have kept her here day by day, but this morning she begged very hard that she might not be examined.

1637. On her entreaty you have not examined her; is that so?—Yes.

Cross-examined by Mr. *Clerk.*

1638. Does that lady reside in Charles-street, Bath?—She represented herself to me as residing there in a garret at the top of the house in Charles-street, Bath.

1639. Did you serve her yourself?—No.

1640. Who served the witnesses with the Speaker's warrants?—I had two or three; Mr. Barry was one.

1641. Did he serve her?—I cannot say; I dare say you will find her now in the passage if you want her, I have not told her to go away.

[The Witness withdrew.

Mr. *John Barry* was again called in; and, having been previously sworn, was further Cross-examined by Mr. *Clerk*, as follows:

Mr. *John Barry.*

1642. DID you serve Mrs. Vaughan in Charles-street, with a Speaker's warrant?—I did.

1643. Was that at the house where her husband used to reside?—I am not aware.

1644. Did you know him occupying the house in ——— street?—I did not.

1645. Why

1645. Why did you go there?—Because I understood from the people of the house that Mrs. Vaughan did live there. Mr. *John Barry.*

1646. Mr. *Cooke.*] Does she occupy a house or a garret?—Upper apartments in the house, the house being let out in a variety of tenements. 14 July 1857.

1647. *Committee.*] Was she living by herself there?—Entirely by herself, as I was informed by the people.

Mr. *Cooke* was heard on the part of the petitioners to sum up the evidence against this vote.

Mr. *Clerk* was heard in support of the vote.

Vote struck off.

ON THE VOTE OF JOHN CRISP.

Mr. *Clerk* proposed to strike this vote off the poll, as a vote given for the Petitioner, on the ground of non-residence, and in support of his objection he referred to the evidence given to day by Mr. Oakley.

John Crisp was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

1648. WERE you a butcher, living in Newmarket Road, at one time?—Yes; not now; but I am a resident there when I am at home. *John Crisp.*

1649. *Committee.*] Where do you reside?—At Newmarket-row.

1650. Mr. *Karslake.*] You had a stand there, had you not?—A shop.

1651. A whole house?—Yes.

1652. Did you live there?—Yes.

1653. I believe that at the atter end of the year 1856, or the beginning of 1857, you were unfortunate in business, were you not?—I was.

1654. And you were obliged to petition the Insolvent Court?—I was.

1655. Did you go to gaol at Taunton?—I did.

1656. Did you apply for your discharge?—I did.

1657. When did you obtain it?—On the 10th of February.

1658. I do not think you gave us the date when you went to gaol?—On the 22d of January; you have not asked me the date.

1659. Are you a married man?—I am.

1660. Have you any children?—No.

1661. Where did your wife go while you were in gaol?—She carried on the business with a friend.

1662. In the same house?—Yes, in the same house.

1663. Did you go back there afterwards?—I did directly.

1664. Do you live there still?—I do.

1665. Was there any other name in which the business was carried on while you were away?—No, it was carried on with the assistance of a friend.

1666. Was any different name put up?—No, there was not.

1667. Did you give up the house in which you lived?—No; I did not give up the house.

1668. Were all your goods taken in execution?—They were.

1669. Who took them in execution?—A friend.

1670. Was it that friend who assisted in the business while you were away?—It was.

1671. Have you a lease of the house?—No.

1672. Then everything in the house was taken in execution by the friendly creditor?—Yes.

1673. Who was that creditor?—A butcher.

1674. What is his name?—Hales.

1675. Did he carry on the business?—Yes.

1676. Buying things?—Yes, and putting them there.

1677. He received the money on selling them?—Yes.

1678. He carried on the business entirely?—He carried on the business.

1679. *Committee.*] In his own name?—No; in my name.

1680. Was your name over the door?—Yes, my name was over the door.

John Crisp.

14 July 1857.

1681. Mr. *Karslake.*] You say he paid everything and received everything?—Yes; as Mrs. Crisp sold the goods, he received the money.

1682. She took the money and handed it over to him?—Yes.

1683. Did he allow the things to remain in the house?—He did, for he paid the money down; and he has got the writings of them now.

1684. Who paid the money down?—Mr. Hales.

1685. After he had bought these things in the house, and paid the money down, he allowed them to remain in the house?—He did, and he has the writings of them.

1686. And he allowed you to use them?—Yes.

1687. Does he continue to buy and sell?—Occasionally.

1688. He buys the things?—Yes, and I sell them.

1689. And pay him the money?—Yes.

1690. You carry on the business in order to pay off the debt, I suppose?—No; not that debt.

1691. Another debt?—Another debt.

1692. *Committee.*] You say Hales paid the money for these goods; to whom did he pay it?—To Mr. Collins.

1693. Who is Mr. Collins?—The sheriff's officer.

1694. Was that return made to the Insolvent Court?—It was.

1695. Mr. *Karslake.*] The debt that you owed to Hales has never yet been paid off?—No.

1696. *Committee.*] Has any part of it been paid off?—Yes, there has been.

1697. Mr. *Karslake.*] There was a debt which you owed to Hales, besides the money which he paid for the goods, was there not?—Yes.

1698. How much did he pay for the goods?—I cannot recollect at the moment.

1699. About?—Getting on for 100*l.*

1700. How much did you owe him?—For the old debt?

1701. Yes.—I could not tell now.

1702. Could you tell within a hundred pounds or two?—Yes, it is less than that.

1703. That debt is in your schedule, is it not?—Yes.

1704. All your property was taken?—Yes.

1705. And he will receive a dividend from the assignee?—Yes.

1706. Has any dividend been paid?—Yes.

1707. Was Mr. Hales the person who put you in prison?—Yes.

1708. And it rested with him when you should come out I suppose?—No, it did not.

1709. Was he friendly?—Yes, we are always friends.

Cross-examined by Mr. *Rodwell.*

1710. If you could have got bail you could have come out sooner than you did, could you not?—I could have got bail.

1711. Did you not go to your landlord and get Hales's name substituted for your own?—I did not.

1712. His name has not been over your shop at all?—No.

1713. Did your name remain over the shop all the time?—It did.

1714. You found him there when you came back?—Yes.

1715. You were away from business for three weeks?—I was.

1716. When you went back did you find your things in the same state as when you left them?—Yes.

1717. And I dare say you went back as soon as you could?—Yes, it was not ten minutes after I got the order.

1718. The same rent goes on now, does it not?—Yes, and the same landlord.

1719. And your wife was there all the time?—Yes.

1720. I understand this friend of yours buys the goods, you sell them, and account to him for them?—Yes.

1721. And are you in the course now of paying off the debt you owe to Hales?—Not old debts I am not; I am the debts I owe him at the present time.

1722. And you get a profit yourself upon the selling?—Yes.

Mr. *John Barry* was again called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *John Barry*.

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1461. DO you know Phillip?—I do.

1461*. You are, I believe, clerk to Mr. Williams, the solicitor; did Phillip ever state to you anything about what he should have done about going back to Bath?—In reference to what?

1462. About coming to Bath to his children, where they were?—He told me that he came from Birmingham to Bath to vote, that he had a place of work there, and that his place of work was open for him; that it was quite open to him to return there.

1463. Anything else?—That had it not been for this election he should not have come to Bath at that period.

[The Witness withdrew.

Mr. *Slade* was heard to sum up the evidence in support of his objection to this vote.

Mr. *Clerk* was heard in support of the vote.

Vote good.

ON THE VOTE OF JOHN VAUGHAN,

Mr. *Cooke* proposed to strike this vote from the poll as a vote given for the Sitting Member, on the ground of non-residence.

Mr. *John Barry* was again called in; and, having been previously sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *John Barry*.

1464. DID you go to Bristol on Tuesday, the seventh of this month, with a Speaker's warrant to serve John Vaughan?—I did.

1465. Did you go to No. 3, Milsom-buildings, Wilder-street, in Bristol?—I did.

1466. Had you known him during the time he was living in Bath?—I did know him.

1467. Did you know the woman he cohabited with?—I did know a person who was formerly in Westgate-street, where he resided, whether she was his wife or not I cannot say.

1468. Did you see her at No. 3, Milsom-buildings?—I did.

1469. Did you apply to her with a view to ascertain, if you could, where Vaughan was?—I did.

1470. What reply did you get?—That he was in Liverpool.

1471. How long were you about the premises on the Tuesday?—Till eleven o'clock in the evening.

1472. Without being able to see him?—Without being able to see him.

1473. Were you there on the Wednesday morning?—I was.

1474. Did you see the same woman again?—I did not.

1475. Did you try to get into the premises?—I did not.

1476. What did you do?—From information I had received I was quite satisfied.

1477. I am afraid we must not have that; what did you do?—I remained opposite to his dwelling.

1478. In the hope of finding him?—In the hope of finding him.

1479. Did you take every means you could to serve him?—Yes.

1480. But you were unsuccessful?—Yes.

Cross-examined by Mr. *Clerk*.

1481. I think you know Mr. John Vaughan?—I do know him.

1482. He is an ironmonger, is he not, or a whitesmith?—He is an ironmonger or blacksmith.

1483. Do you know that he keeps a whitesmith's shop?—An ironmonger's.

Mr. *John Barry.*

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1484. It is not usual to call an ironmonger a blacksmith. Do you not know that he acts as a commercial traveller for his brother?—I am not aware of that fact.

1485. Do you know anything about him?—I know certain circumstances connected with him.

1486. Do you not know that he acts as a commercial traveller for his brother?—I do not.

1487. Do you know that he has been residing in Westgate-street, Bath?—I know he formerly did.

1488. Do you know Mrs. Vaughan, his wife?—I know Mrs. Vaughan, who is said to be his wife.

1489. Do you know that he has a wife?—I know that there is a person who told me she is his wife, and the person I saw at Milsom-buildings told me that she is not his wife.

1490. But you know that he has a wife?—I believe he has a wife.

1491. Do you know that Mrs. Vaughan resides and has resided for many years in that house in Westgate-buildings?—I am not aware that she has within the last year and a half or two years.

1492. Have you not seen her there yourself within that time?—Not myself.

1493. Has he children?—I believe he has.

1494. Where have you seen those children?—I saw some of them in Bristol.

1495. When was that?—On the night of Tuesday the 7th of July.

1496. Have you seen those children in Bath?—I have seen them in Bath, when he has been driving them out in a little four-wheel.

1497. When was the last time that you saw him driving about with his children in that four-wheel?—Upwards of a year and a half ago.

1498. Do you mean to swear that you have not seen him within the last year driving his children?—I do.

1499. Did you serve Mrs. Vaughan when you were down at Bath the other day. Is Mrs. Vaughan here; the wife?—A Mrs. Vaughan is in London.

1500. She is in the passage, is she?—I have not seen her in the passage.

1501. When did you see her last?—I saw her this morning.

1502. Where did you see her this morning?—I saw her in Parliament-street.

1503. Is she with your witnesses?—I am not aware where she is.

1504. Is she with your witnesses?—She is not.

1505. Where is she?—I am not aware where she is.

1506. Are you not clerk to Mr. Williams, Mr. Way's solicitor?—I am not; I am assisting him.

1507. Do you not know where your witnesses are?—I do not know where she is.

1508. But you have seen her this morning, you say?—I have.

Re-examined by Mr. *Cooke.*

1509. I believe it is pretty well known to you that this man and his wife are separated, and that he is living with another woman?—It is well known to me.

1510. Is that the general reputation?—Yes.

1511. These children which you saw with him in Bath you saw on Tuesday, the 7th, did you not?—I could not identify them as being the same children; but I have seen Vaughan in Bath with children, and I have seen children there who have been represented to me to be Vaughan's children.

1512. Do you know the premises where he did live, in Westgate-street, Bath?—Yes.

1513. Has he ceased to live there?—Yes.

1514. Since Christmas last?—Since Christmas last.

1515. *Committee.*] Who is in the occupation of those premises now in Monmouth-street, Bath?—Since Christmas, I believe, they have been used as a warehouse by a Mr. Martin, a grocer; but prior to Christmas they were left unoccupied by Mr. Vaughan.

1516. Was there anybody resident on the premises there at all?—No; they are merely a blacksmith's shop and yard, incapable of being used as a sleeping room; and since that time they have been used as a warehouse by a grocer.

1517. Are they so used now?—To the best of my belief, they are.

1518. Have you seen the house in Westgate-street lately?—Yes.

1519. In

Mr. *John Barry*.

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1519. In whose occupation is that now?—To the best of my belief, I cannot say exactly; but I think it is an earthenware shop. I can hardly describe the nature of the business, but I know that Vaughan is not resident there, because at one time it was fitted up with saucepans, and pots, and things pertaining to the trade, whereas it is not at present.

Re-examined by Mr. *Cooke*.

1520. Do you know that Vaughan has left Westgate-street?—I do.

1521. *Committee.*] Who is in the occupation of the premises now?—I cannot inform you, but they are parties totally distinct, having no connexion whatever with Vaughan.

1522. Is there a name over the shop?—There is no name. I can state further that the name "J. Vaughan" is over the blacksmith's yard and shop in Cave-street, Bristol.

1523. When did he leave the house in Westgate-street?—Upwards of a year and a half ago.

1524. Do you know where he has been residing since then?—I cannot speak to the whole time; I can as to the later portion particularly.

[The Witness withdrew.

John Henry Floor was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

J. H. Floor.

1525. YOU were the poll clerk at the Walcot Booth?—I was.

1526. Do you know John Vaughan?—I do.

1527. A blacksmith or ironmonger?—An ironmonger, or something of that sort.

1528. Did he vote for Tite and Elton at the last election?—He did.

1529. I believe he voted in respect of a shop and yard in Monmouth-street?—Yes.

1530. Do you know the shop in Monmouth-street?—I do.

1531. Is he still residing there, or occupying it?—No, I think not.

1532. How long has he left?—He left before last Christmas; some time before that.

1533. What is become of those premises?—I cannot say.

1534. Are they occupied, do you know?—That I cannot say.

1535. You know, do you not, that he does not occupy them?—He does not occupy them.

1536. Do you know where he resided?—He resided in Charles-street; he had a house in Charles-street.

1537. Had he also a house in Westgate-street?—He had.

1538. Does he reside there now?—I cannot say; I think not.

1539. Do you know whether he resides in Charles-street?—No, he does not; the premises are shut up.

1540. When had you last seen him previous to the time of his voting?—I think about last May twelvemonth.

Cross-examined by Mr. *Clerk*.

1541. What is the population of Bath?—Something over 57,000 was the population at the last census.

1542. Mr. Vaughan had, I believe, resided in Westgate-street before he went to Charles-street?—He did; at least his name was up there and he was in and out of the shop.

1543. He had a shop, as we hear, in Monmouth-street, for which he was registered?—Yes.

1544. That is so?—Yes.

1545. That is not a place where he could have lived, is it?—He might have lived there.

1546. But he did not, in fact, live there?—I cannot say.

1547. But you never knew him living there?—He might have slept on the premises.

1548. Did you ever know him living there?—I do not think I can answer that question.

J. H. Floor.

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1549. Have you seen him living there?—I have seen him living there.

1550. Were you the poll-clerk appointed by Mr. Way, or by the mayor?—By Mr. Way's agent.

1551. And were you paid by Mr. Way?—No, I have never been paid by Mr. Way at all.

1552. By his agent?—Yes.

1553. You were the check-clerk, were you not?—No, I was the poll-clerk.

1554. Did you canvass for Mr. Way before the election?—I did not.

1555. Did you know him residing in Westgate-street at any time?—I have seen him in Westgate-street.

1556. Do you or do you not know that he lived at one time in Westgate-street?—He lived in Westgate-street; if I saw him and he was alive, of course he lived there.

1557. Did he live in Charles-street?—I presume he did.

1558. Did you see him alive there?—I have.

1559. And you have not seen him alive lately?—I saw him in Bristol.

1560. And therefore you presume he lived there?—I did at the time.

Re-examined by Mr. *Cooke*.

1561. When did you see him in Bristol?—Last May twelvemonth.

1562. What sort of man is Vaughan; is he tall or short?—I should say about an inch or an inch and a half or a couple of inches higher than I am, and I am five feet six and a half.

[The Witness withdrew.

William Henry Hawkins was called in; and having been sworn, was Examined by Mr. *Cooke*, as follows:

W. H. Hawkins.

1563. DO you reside at Portland-row, Bristol?—Yes.

1564. And are you not agent to Mr. Milsom, a builder?—Yes.

1565. He is the owner, is he not, of some houses called Milsom-buildings?—Yes, they are called Milsom-buildings or Portland Cottages.

1566. Is it part of your duty to let these houses for him?—Yes.

1567. And you collect the rents?—Weekly.

1568. Who is the person who is in the occupation of the house No. 3, Milsom-buildings?—Mr. John Vaughan.

1569. Does he carry on a trade in Bristol?—Yes.

1570. What is he, an ironmonger?—Something of that kind; I never was in the yard.

1571. He carries on that kind of business, does he?—Yes.

1572. Where does he carry on his trade?—Close adjoining.

1573. What is the name of the place?—Dean-street, I should say Cave-street.

1574. Is there any name over the door?—"John Vaughan," or "J. Vaughan," is on the door, on a zinc plate.

1575. Has he any family living with him in Milsom-buildings?—Yes, and also some children.

1576. How long have you had him living there; since Christmas?—And before Christmas.

1577. What kind of person is he in point of stature?—A tall gentleman, rather inclined to stoop.

1578. Did you ever know him in Bath?—Not at all.

1579. Do you know from him where he came from to Bristol?—No.

1580. Is it Bathe-street?—No, Cave-street.

1581. That is by St. Paul's, is it not?—Yes.

Cross-examined by Mr. *Clerk*.

1582. So your tenant, John Vaughan, of No. 3, is a tall man, is he?—He is a tall gentleman.

1583. Six feet high?—About that height, or rather taller. I know him quite well.

1584. Or six feet one?—He might be that.

1585. What

W. H. Hawkins.
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1585. What sort of business hid he carry on?—The iron business. There is a zinc plate on the door, and it says, "Dealer in Zinc," or something of that kind. In fact, I was never inside the yard, though he has held it for a long time.

1586. You have never been inside the house?—Not inside the yard.

1587. *Committee.*] When was this cottage taken of you?—In October.

1588. October last?—Yes. I should say November the 17th; the rent commenced on the 17th of November; there was a week due the 24th.

1589. And you say he went there before Christmas?—Yes.

1590. When did you see Vaughan last?—On Sunday week.

1591. Mr. *Clerk.*] Had he paid rent regularly up to this time?—Yes; which I have the books in my pocket to prove.

[The Witness withdrew.

Mary Hawkins was called in; and, having been sworn, was Examined, by Mr. *Rodwell*, as follows:

Mary Hawkins.

1592. YOU are the wife of the last witness?—Yes.

1593. He is the agent, he tells us, of Mr. Milsom?—Yes.

1594. Do you know John Vaughan?—Yes.

1595. What is he?—A zinc maker. He keeps a yard by us.

1596. Are there metals in it?—I never saw the yard inside.

1597. When do you first recollect his coming?—In October.

1598. Did he come to you?—Yes.

1599. And what did he ask for?—He asked me to show him the house.

1600. Did he go over it?—Yes, by himself.

1601. And did he after that become tenant?—Yes.

1602. As we have heard from your husband?—Yes.

1603. At the time he came to you did he state where he came from?—From Bath; he came two or three times.

1604. But he finally took the house?—Yes.

1605. Has he also premises in Cave-street?—Yes.

1606. Has he premises there?—Yes; that is where his premises are close by the house.

1607. Have you seen him with any family there?—Oh yes.

1608. How long have they been there?—Before March.

1609. You know them pretty well, I believe?—Yes; I recommended his children to the school, because we lived directly opposite to them.

Cross-examined by Mr. *Clerk*.

1610. Is the woman who is living with this person, whoever he is, his wife; do you know that?—That I cannot say; she passes as such to me.

1611. Have you not reason to know that this woman is not his wife?—No; I had no reason to suppose so till I came to London this morning.

1612. You have learned now that this woman is not his wife?—This morning.

1613. Have you seen Mr. Vaughan's wife?—This morning.

1614. Where did you see her?—I saw her when we came here.

1615. In the passage?—No; in the main road.

1616. Did she come up with you?—No; she was here and went to the office.

1617. What office?—In Park-street.

1618. Messrs. Baxter, Rose, & Norton's office?—Yes.

1619. And you went there with her?—No.

1620. You met her there, did you?—Yes.

1621. Are you staying together at the same hotel?—No, I only came up to day, and I knew nothing about Mrs. Vaughan until she asked me this morning where I was going to.

1622. You had never seen her in Bristol, then?—No.

1623. *Committee.*] Did you ever hear Mr. Vaughan say anything about his wife?—No, he said when he took the house, that he should bring his wife and family.

1624. Mr. *Clerk.*] And you know now that that person is not the woman you saw to day, is not Mrs. Vaughan?—Oh dear yes.

Mary Hawkins.

14 July 1857.

Re-examined by Mr. *Slade*.

1625. Did Mrs. Vaughan tell you that her husband had left her?—

Mr. *Clerk* objects to the question.

The question was waived.

1626. Mr. *Slade*.] By the way in which they were living, you always till this morning considered the woman who was living with him at Bristol was his wife?—Well, yes.

1627. *Committee*.] Did you ever hear Mr. Vaughan say anything about returning to Bath to his business there?—No, he said he had left Bath to come there to reside.

1628. Did you understand from him that he had quite left it?—When he came to take the house.

1629. When was that?—That was in October, the beginning of October.

1630. He then told you he had quite left Bath?—Yes, he hesitated a long time about this house; he said he would go and take a lodging in Cave-street till he could make it convenient to bring his wife and children; and I was to hold the keys for a fortnight for him, which I did, and then he came again and said he would go and see Mr. Milsom, and then he came back and I delivered him the keys.

1631. Was that in the beginning of October?—Yes.

1632. Did this person who you saw this morning, and who you say is Mrs. Vaughan, tell you she was separated from her husband or not?—Yes.

1633. Did she say how long she had been separated?—No.

[The Witness withdrew.

Mr. *Isaac Williams* was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. J. Williams.

1634. DO you know Mrs. Vaughan?—I know a person who has represented herself to me as Mrs. Vaughan, and she told me that she had not spoken to her husband for five years.

1635. *Committee*.] Are you sure that she used those words?—Yes.

1636. You brought her up here intending to examine her?—I brought her up intending to examine her, and have kept her here day by day, but this morning she begged very hard that she might not be examined.

1637. On her entreaty you have not examined her; is that so?—Yes.

Cross-examined by Mr. *Clerk*.

1638. Does that lady reside in Charles-street, Bath?—She represented herself to me as residing there in a garret at the top of the house in Charles-street, Bath.

1639. Did you serve her yourself?—No.

1640. Who served the witnesses with the Speaker's warrants?—I had two or three; Mr. Barry was one.

1641. Did he serve her?—I cannot say; I dare say you will find her now in the passage if you want her, I have not told her to go away.

[The Witness withdrew.

Mr. *John Barry* was again called in; and, having been previously sworn, was further Cross-examined by Mr. *Clerk*, as follows:

Mr. John Barry.

1642. DID you serve Mrs. Vaughan in Charles-street, with a Speaker's warrant?—I did.

1643. Was that at the house where her husband used to reside?—I am not aware.

1644. Did you know him occupying the house in ——— street?—I did not.

1645. Why

1645. Why did you go there?—Because I understood from the people of the house that Mrs. Vaughan did live there. Mr. *John Barry.*

1646. Mr. *Cooke.*] Does she occupy a house or a garret?—Upper apartments in the house, the house being let out in a variety of tenements. 14 July 1857.

1647. *Committee.*] Was she living by herself there?—Entirely by herself, as I was informed by the people.

Mr. *Cooke* was heard on the part of the petitioners to sum up the evidence against this vote.

Mr. *Clerk* was heard in support of the vote.

Vote struck off.

ON THE VOTE OF JOHN CRISP.

Mr. *Clerk* proposed to strike this vote off the poll, as a vote given for the Petitioner, on the ground of non-residence, and in support of his objection he referred to the evidence given to day by Mr. Oakley.

John Crisp was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

1648. WERE you a butcher, living in Newmarket Road, at one time?—Yes; not now; but I am a resident there when I am at home. *John Crisp.*

1649. *Committee.*] Where do you reside?—At Newmarket-row.

1650. Mr. *Karslake.*] You had a stand there, had you not?—A shop.

1651. A whole house?—Yes.

1652. Did you live there?—Yes.

1653. I believe that at the latter end of the year 1856, or the beginning of 1857, you were unfortunate in business, were you not?—I was.

1654. And you were obliged to petition the Insolvent Court?—I was.

1655. Did you go to gaol at Taunton?—I did.

1656. Did you apply for your discharge?—I did.

1657. When did you obtain it?—On the 10th of February.

1658. I do not think you gave us the date when you went to gaol?—On the 22d of January; you have not asked me the date.

1659. Are you a married man?—I am.

1660. Have you any children?—No.

1661. Where did your wife go while you were in gaol?—She carried on the business with a friend.

1662. In the same house?—Yes, in the same house.

1663. Did you go back there afterwards?—I did directly.

1664. Do you live there still?—I do.

1665. Was there any other name in which the business was carried on while you were away?—No, it was carried on with the assistance of a friend.

1666. Was any different name put up?—No, there was not.

1667. Did you give up the house in which you lived?—No; I did not give up the house.

1668. Were all your goods taken in execution?—They were.

1669. Who took them in execution?—A friend.

1670. Was it that friend who assisted in the business while you were away?—It was.

1671. Have you a lease of the house?—No.

1672. Then everything in the house was taken in execution by the friendly creditor?—Yes.

1673. Who was that creditor?—A butcher.

1674. What is his name?—Hales.

1675. Did he carry on the business?—Yes.

1676. Buying things?—Yes, and putting them there.

1677. He received the money on selling them?—Yes.

1678. He carried on the business entirely?—He carried on the business.

1679. *Committee.*] In his own name?—No; in my name.

1680. Was your name over the door?—Yes, my name was over the door.

John Crisp.

14 July 1857.

1681. Mr. *Karslake.*] You say he paid everything and received everything?—Yes; as Mrs. Crisp sold the goods, he received the money.

1682. She took the money and handed it over to him?—Yes.

1683. Did he allow the things to remain in the house?—He did, for he paid the money down; and he has got the writings of them now.

1684. Who paid the money down?—Mr. Hales.

1685. After he had bought these things in the house, and paid the money down, he allowed them to remain in the house?—He did, and he has the writings of them.

1686. And he allowed you to use them?—Yes.

1687. Does he continue to buy and sell?—Occasionally.

1688. He buys the things?—Yes, and I sell them.

1689. And pay him the money?—Yes.

1690. You carry on the business in order to pay off the debt, I suppose?—No; not that debt.

1691. Another debt?—Another debt.

1692. *Committee.*] You say Hales paid the money for these goods; to whom did he pay it?—To Mr. Collins.

1693. Who is Mr. Collins?—The sheriff's officer.

1694. Was that return made to the Insolvent Court?—It was.

1695. Mr. *Karslake.*] The debt that you owed to Hales has never yet been paid off?—No.

1696. *Committee.*] Has any part of it been paid off?—Yes, there has been.

1697. Mr. *Karslake.*] There was a debt which you owed to Hales, besides the money which he paid for the goods, was there not?—Yes.

1698. How much did he pay for the goods?—I cannot recollect at the moment.

1699. About?—Getting on for 100*l.*

1700. How much did you owe him?—For the old debt?

1701. Yes.—I could not tell now.

1702. Could you tell within a hundred pounds or two?—Yes, it is less than that.

1703. That debt is in your schedule, is it not?—Yes.

1704. All your property was taken?—Yes.

1705. And he will receive a dividend from the assignee?—Yes.

1706. Has any dividend been paid?—Yes.

1707. Was Mr. Hales the person who put you in prison?—Yes.

1708. And it rested with him when you should come out I suppose?—No, it did not.

1709. Was he friendly?—Yes, we are always friends.

Cross-examined by Mr. *Rodwell.*

1710. If you could have got bail you could have come out sooner than you did, could you not?—I could have got bail.

1711. Did you not go to your landlord and get Hales's name substituted for your own?—I did not.

1712. His name has not been over your shop at all?—No.

1713. Did your name remain over the shop all the time?—It did.

1714. You found him there when you came back?—Yes.

1715. You were away from business for three weeks?—I was.

1716. When you went back did you find your things in the same state as when you left them?—Yes.

1717. And I dare say you went back as soon as you could?—Yes, it was not ten minutes after I got the order.

1718. The same rent goes on now, does it not?—Yes, and the same landlord.

1719. And your wife was there all the time?—Yes.

1720. I understand this friend of yours buys the goods, you sell them, and account to him for them?—Yes.

1721. And are you in the course now of paying off the debt you owe to Hales?—Not old debts I am not; I am the debts I owe him at the present time.

1722. And you get a profit yourself upon the selling?—Yes.

John Crisp.

14 July 1857.

Re-examined by Mr. *Karslake.*

1723. Do you mean you are not now tenant to Hales?—No; to the same landlord.

1724. Who is the landlord?—The corporation.

1725. Have you paid any rent to the corporation since your insolvency?—I have not; it is due now, the last month: I have paid the poor's-rates though, in March last.

1726. *Committee.*] You are the party liable for the rent?—I am.

1727. Mr. *Karslake.*] Have you paid the rate that became due in March?—No; I only pay it half-yearly.

1728. *Committee.*] If you get this debt paid, you hope to continue the shop as it is now?—I have every hope of it.

1729. You say the business was carried on in your absence; whose business?—The butchering business.

1730. Was it yours?—I do not know upon that point; I could not answer that question exactly; my wife was there, and she had goods put in.

1731. You do not mean to say it was your business, do you?—My name was over the door.

1732. Was not all your property vested in court?—It was, every halfpenny of it

[The Witness withdrew.

Mr. *Karslake* was heard on the part of the Sitting Member to sum up the Evidence against this vote.

Mr. *Rodwell* was heard in support of the vote.

Vote good.

ON THE VOTE OF JOSEPH WHITE.

Mr. *Phinn* proposed to strike out this vote from the poll as a vote given for the petitioner on the ground of non-residence.

Joseph White was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Joseph White.

1733. DO you live in Stapleton-road, Bristol?—Yes.

1734. Did you use to live at No. 32, James's-street, Bath?—No. 31.

1735. What are you at Bristol?—A licensed victualler.

1736. Are you a married man?—Yes.

1737. Do your wife and family live with you?—Yes, sometimes in Bath.

1738. When did you quit Bath?—When I took this house, the Blackbirds, in Stapleton-road, which was in December last.

1739. You took the Blackbirds, in Stapleton-road, in December last?—Yes.

1740. Did you remove there with your family?—Yes; at least I did not move there altogether; I lived there occasionally.

1741. Who manages the business in Stapleton-road?—My wife.

1742. What is your own business?—I am a licensed victualler.

1743. The licence is in your name, I suppose?—Yes.

1744. And do you attend to the customers at the bar?—Sometimes.

1745. Were you in difficulties when you left Bath?—No.

1746. You say you carry on the business, and your wife and family live in Bristol; is that so?—She stays there occasionally; sometimes she is in bed, as well as I am.

1747. Who lives in 31, James's-street, generally?—My mother.

1748. Do you know Mr. Edward Wetton?—I do.

1749. Did he put you in the county court?—He did so.

1750. Do you owe him anything?—No.

1751. Have you paid him?—Yes.

1752. When?—I cannot tell you; I have got a memorandum in my pocket.

Joseph White.

14 July 1857.

1753. How much did you owe him when he put you in the county court?—£.5 odd, or 6*l.*, I do not know which; I paid him long ago; in February I think it was.

1754. *Committee.*] Was it a long-standing debt?—It was, rather.

1755. When did you pay him?—In February.

1756. Mr. *Phinn.*] Did he get a judgment against you?—He did.

1757. Did he take out a warrant against your goods?—No.

1758. Did he take your person?—No.

1759. He got a judgment against you?—Yes, and I paid him.

1760. Did you tell him that the furniture in the house was your mother's?—No.

1761. Recollect yourself?—Yes.

1762. Do you swear that?—Yes.

1763. How often did you go over to Bath between the time you took this house in Bristol and the election?—Sometimes three times a week, and sometimes four, and sometimes only once.

1764. Did you move your beds and bedding to Bristol?—No.

1765. Are you quite sure of that?—Yes.

1766. Was the furniture in the house your mother's?—No.

1767. Will you swear that?—Yes.

Mr. *Phinn* stated that after this evidence he could not sustain his objection to this vote.

Vote good.

[Adjourned to To-morrow, Eleven o'clock.

Mercurii, 15° die Julii, 1857.

ON THE VOTE OF JOHN RUSSELL.

Mr. *Clerk* proposed to strike off this vote for the petitioner, on the ground that he had been bribed.

John Fletcher was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

John Fletcher.

15 July 1857.

1768. WHAT are you?—I am a painter by trade.

1769. Do you reside at Claremont Buildings, Bath?—I do.

1770. Do you know John Russell, a voter there?—Yes.

1771. Where does he live?—At Old Orchard, Walcot-street, in the parish of Walcot.

1772. Number 3, Old Orchard, Bath?—Yes.

1773. What is he by trade?—A plasterer.

1774. Are you well acquainted with him?—I have been for many years.

1775. Before the last election had you a conversation with him as to how he was going to vote?—On several occasions.

1776. What did you say to him?—I asked him who he was going to vote for; he says "Mr. Tite and Elton."

1777. Did he tell you so more than once?—Yes, on several occasions.

1778. *Committee.*] How long before the election?—It may have been a fortnight; I was constantly seeing him, almost every day.

1779. When was the last time that he said that to you, do you recollect?—Two or three days before the election, as near as I can recollect.

1780. Mr. *Clerk.*] Were you canvassing him for his vote?—No.

1781. Were you merely talking to him?—Yes, I was merely talking to him.

1782. In any of those conversations was anything said about his politics?—Nothing more than that he should vote for Mr. Tite and Elton.

1783. Did

John Fletcher.

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1783. Did you know whether he was a Conservative or a Liberal?—I always knew him to be of Liberal principles.

1784. Did you say anything to him about that?—I did several times; I asked him several times who he was going to vote for, and he said Tite and Elton.

1785. Did you say anything about his being a Liberal?—Nothing more than that.

1786. A day or two after the election did you meet the voter in Westgate-street?—I did, in Westgate-street.

1787. Had you any conversation with him?—I had.

1788. What did you say to him?—I met him in the morning, and said, "Good morning, John." I said, "Who did you vote for,?" he said that it was the first time he had voted, and that he had been bothered, and voted for Mr. Way and Elton. I says, "Then, I suppose you had something presented to you."

1789. What was that about his being bothered?—He said he was bothered with Mr. Way's committee, and that they had called, and that he did not know which way to vote; he was so bothered.

1790. Did he then tell you that he had voted for Mr. Way and Elton?—That he had voted for Mr. Way and Elton.

1791. Well?—Then I said, "I suppose you had something presented to you;" he said, "I had half a side of bacon presented to me."

1792. Was any person present with you when this conversation took place?—A man named Phillips.

1793. George Phillips?—Yes; I called him to bear it in mind; he was with me at the same time as the conversation took place.

1794. Did he tell you what he had half a side of bacon for?—No, he did not.

1795. Tell us what it was you said when you spoke about something being presented to him?—I said, "I suppose you had a present presented to you." He said, "I only had half a side of bacon." I said, "I suppose you are not ashamed to hear of that again, John." He says, "No;" and that ended our conversation.

1796. Have you since that time had any conversation with him with regard to the person who gave him the bacon?—I have.

1797. What has he told you?—He never told where he had it from.

1798. What did he say; what did the voter tell you when you asked him who gave him the half side of bacon?—He said he did not know; he did not tell me where he had it from.

1799. Did he say he did not know who he had it from?—He did not say anything about that; I did not put the question to him.

1800. When you asked him who gave it to him, what did he say?—He said as much as to say it was his business, and not mine.

1801. *Committee.*] Give us his words?—We went from there to have a pot of beer together.

1802. When you saw him again, and you asked him who gave him this bacon, what was his answer?—He said that was his business, and not mine.

1803. Mr. *Clerk.*] Just recollect; was anything said about his wife?—He said he was obliged to vote the way that his wife told him.

1804. Well?—That it was the first time he had a vote, and that he did not know which way to vote, he had been bothered so; he repeated those words two or three times.

1805. When you asked him who gave him the bacon, did he say anything about his wife?—Not that I am aware of; not at that time.

1806. Did he afterwards?—No, not that I am aware of; not anything more than that.

1807. *Committee.*] When he said he had been bothered, did he say he had been bothered by his wife?—No, by the committee.

Cross-examined by Mr. *Rodwell.*

1808. Are you a voter?—Yes.

1809. Who did you vote for?—Tite and Elton.

1810. Did you say to Russell, or to anybody, that you had had two sides of bacon?—No, nor yet one.

1811. Who spoke first about the side of bacon?—Russell.

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1812. He did not say anything else but a side of bacon?—Half a side of bacon.

1813. He did not say who gave it to him?—No, he did not.

1814. Nor why it was given him?—No.

1815. And the wife was not mentioned on the first occasion, I think?—No, not upon the first occasion.

1816. You told my friend you did not canvass; did you not go and ask him and bother him for his vote?—No.

1817. What did you go there for?—We often met together.

1818. Were you a friend of his?—Yes.

1819. Was it not said in a chaffing way?—It was said in a straightforward way.

1820. Did you not speak in a straightforward way, and ask him several times for his vote?—No.

1821. What made you ask him so often for his vote?—I did not ask him often.

1822. You said just now that you asked him several times who he was going to vote for, and he told you he had always voted for the Liberal party before?—He never had a vote before.

1823. Mr. *Clerk.*] He said he was of Liberal politics?—Yes.

1824. Mr. *Rodwell.*] Did you mention Mr. Way to him the first time you canvassed him for his vote?—I believe not.

1825. Was his name mentioned?—I believe not.

1826. Then all your conversation was, whether he was going to vote for Elton and Tite?—He might vote for who he liked.

1827. Was Mr. Way a candidate at the time you asked him for his vote; did you not ask him several times for his vote for Elton and Tite?—I cannot say I did not once, or twice, or three or four times.

1828. You asked him several times, did you not?—Three or four times.

1829. Did you not ask him several times to vote for Elton and Tite, upon your oath?—I cannot say I did not.

1830. Then you can say you did?—I believe I did.

1831. You know you did, do you not?—Yes, I dare say I did.

1832. Why did you not tell me so before?—I did not understand you.

1833. Upon your oath?—Yes.

1834. Do you mean to swear you did not understand me?—If I did, I beg your pardon.

1835. Then you did three or four times?—I may have done so three or four times.

1836. Did you not go to him for the express purpose of getting him to vote for Elton and Tite?—No.

1837. What did you go to him for?—I met him in the street.

1838. What is he?—A plasterer.

1839. And what are you?—A painter.

1840. Did you ask him for his vote?—Not particularly; I merely said, "Who are you going to vote for?"

1841. Who were the candidates at the time?—Mr. Elton, Mr. Tite, and Mr. Way.

1842. Will you swear that when you spoke to him, Elton, Tite, and Way were the candidates?—I cannot say that I can swear to it on the first onset.

1843. What do you know about it; you asked him for his vote, and discussed Liberal principles with him; who were the candidates you discussed?—I merely spoke of Mr. Tite and Mr. Elton.

1844. I ask you was Mr. Way's name ever mentioned?—I cannot say that ever it was; in fact we did not go into any particular conversation about it.

1845. When did you first mention about the side of bacon?—About two or three days after the election.

1846. You were angry with Russell for not voting as you wished him?—No, not at all.

1847. You were pleased, perhaps?—Not particularly.

1848. Did you not go up to him afterwards, and speak rather sharply to him about it?—No; I only said to him that he was not a man of his word, nor true to his promise.

1849. Had

1849. Had he ever promised you?—He said he should vote for Mr. Tite and Mr. Elton.

1850. Had he promised you?—He told me he should do so, as I repeated to you just now.

1851. Was that the first time you asked him, or the last?—I cannot say.

1852. Did he always promise Elton and Tite?—Yes.

1853. Every time you asked him?—I do not say every time; he might two or three times.

1854. Two or three times he promised Elton and Tite?—Yes.

1855. And on the other occasions did he say he did not know which way he should vote?—No, I do not recollect that.

1856. You went up, and said, "You are not a man of your word"?—We had a long conversation about other things; I said, "You are not a man of your word," in that way.

1857. What did he say?—I do not think we had any more conversation.

1858. Yes, you had a great deal more; did you not tell him you were paid for it?—No, I did not.

1859. What did you say?—Nothing of the kind.

1860. What did you say?—I said nothing of the kind.

1861. Tell us what you said after you told him "You are not a man of your word"?—I do not recollect any more conversation.

1862. You said to him, "You are not a man of your word"?—I met him in the street, and said, "John, you are not a man of your word."

1863. What did Russell say?—I do not know of any conversation afterwards.

1864. Was anything said about the side of bacon then?—No, I do not recollect that there was.

1865. How many days afterwards was the side of bacon mentioned?—Two or three days afterwards.

1866. What did you say to him?—I do not recollect that there was anything more said about it more than we met at the corner of Westgate-street, and I said to him, "Well, John, how was the bacon?" he said, "Rather fat."

1867. Now, I am not come to the side of bacon yet; that was the second interview; now go on?—We had no other interview.

1868. When was the side of bacon mentioned?—I did not mention a side; I said half a side.

1869. When was that?—Nearly a week afterwards.

1870. I asked you distinctly what you said, and you said, "Russell, you are not a man of your word," and then nothing more was said?—Not at that time.

1871. When was the side of bacon mentioned?—Two days after the election.

1872. Was that the time you said to him, "You are not a man of your word"?—Yes.

1873. I asked you to tell me the next interview, and you said it was two days afterwards; just recollect yourself?—I finished my story on the first interview; I saw him a few days after that; I said, "John, how did the bacon eat?" "Rather fat," he said.

1874. Had he said anything about the side of bacon?—No, he had not. Yes, he had before; this was the second interview.

1875. Was there, when you said, "Russell, you are not a man of your word," anything said about the side of bacon?—That was the first interview.

1876. What was it that passed about the side of bacon?—In the first interview, or the second, do you mean?

1877. Whenever it was first mentioned; when was it first mentioned?—At the first interview; about two days after the election; two or three days.

1878. What took place then?—I told you I met him in Westgate-street, and I said, "Who did you vote for, John?" He said, "Mr. Way and Mr. Elton." I said, "You are not a man of your word; I suppose you had something presented to you." He said, "I had half a side of bacon"; I said, "You are not afraid or ashamed to hear of this again." He said, "No, I am not;" and that was all that passed.

1879. And then the next time you said to him, "You are not a man of your word"?—I said so at the time.

1880. When did you tell anybody about this side of bacon?—Not anybody in particular, more than Mr. North.

1881. Who was Mr. North?—The secretary.

 1882. Secretary

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1882. Secretary to what?—To the Liberal Association.

1883. When did you tell him?—Some considerable time after I heard that there was to be a scrutiny going on.

1884. Did you go to him?—I was working at Lord Radnor's, and I received a letter from Mr. North.

1885. And then you told it to Mr. North?—Yes; he sent me a letter; he heard I had spoken about this.

1886. From the time Russell had this coversation with you about the half side of bacon, till you mentioned it to Mr. North, had you mentioned it to anybody?—Yes, to one or two people.

1887. Who to?—To a person named Nicholls.

1888. When?—It was a few days after.

1889. A few days after what?—After I heard there was to be a scrutiny going to take place.

1890. When did he tell you he was obliged to vote the way he did because his wife told him; when was that?—I have told you.

1891. I want to know when was it?—I believe it was some time in the same week.

1892. Were you then talking to him about his vote?—Merely in a simple conversation.

1893. Were you chaffing him about his bacon?—No; I never chaffed him in my life.

1894. How did the conversation arise about his being obliged to vote the way his wife told him?—I do not know anything particular about that.

1895. How did the observation arise?—We did not go into any conversation respecting it.

1896. How came he to tell you he was obliged to vote the way he did because his wife told him; he did not say that without something being said to him?—I do not know that we were speaking of anything particular.

1897. We will judge whether it was particular?—I cannot bear it in mind.

1898. You have a very good recollection as to some of these facts; did you not go to him, and tell him he was a man who had broken his word and promise?—No; I merely met him in the street.

1899. Where did this conversation take place about his wife?—In Westgate-street.

1900. The same day as you told him he was not a man of his word?—No.

1901. I want the fact of the conversation that took place with you, when he told you he voted as he did because of his wife?—I do not know when it was exactly.

1902. You cannot tell me anything else about it, except that he said that?—No.

1903. Was anybody present?—Yes; a man named Phillips heard the conversation.

1904. Is Phillips alive?—Yes.

1905. Is he here?—Yes.

1906. What did Phillips hear him say?—What I have stated to you. Phillips heard the same conversation as I heard, nearly the same; I called him to witness.

1907. You called Phillips forward to hear what he said to you?—Yes; I said to Phillips, "You hear what John is saying; he says that he had half a side of bacon presented to him." I said, "You bear it in mind."

1908. *Committee.*] Was that the first conversation?—Yes; that was the first conversation.

1909. Mr. *Rodwell.*] Did Phillips hear Russell say anything about half a side of bacon?—Yes.

1910. Where was this conversation?—In Westgate-street.

1911. On what day?—About two or three days after the election.

1912. Was anybody else but Phillips by?—Not at that time.

1913. How long did that conversation last?—Three or four minutes.

1914. Did Phillips say anything upon that?—I do not think that he said anything particular about it.

1915. Did he say nothing; you took him there, did you not?—No, I did not. We met him in the street.

1916. Did you not tell me that you asked Phillips to go to hear what passed?—No; I did not tell you so. Phillips was with me when I was talking to Russell.

I said

I said to Phillips, "You hear what John says." He said, "Yes; he said that he had half a side of bacon presented to him." *John Fletcher.* 15 July 1857.

1917. Did Phillips say nothing upon that?—No. We went and had a pot of beer afterwards, and the conversation was dropped. The man spoke in a very straightforward way.

Re-examined by Mr. *Clerk*.

1918. Do you occasionally work together with Russell?—I have worked with him.

1919. Is Phillips also a working man?—Yes.

1920. What is he?—A painter.

1921. Does he work with you?—He has occasionally.

1922. You say you mentioned this to two or three people a day or two after?—Yes.

1923. A day or more after you heard of the scrutiny?—Yes.

1924. How soon after the election was it that you heard of the scrutiny?—A week or two, I should think.

1925. How soon was the scrutiny talked of at Bath?—I heard of it on the hustings.

1926. From whom?—I heard Mr. Way say that he should be Member for Bath within two months.

1927. Did he then talk about having a scrutiny?—I heard people in the crowd say there would be a scrutiny.

1928. Was it after you had heard that there would be a scrutiny that you met Russell in this way in the street?—No, not any more than that I had heard that on the hustings.

1929. And it was two days after the election that you met Russell?—About two or three days.

Examined by the *Committee*.

1930. When was it you first mentioned to anybody this conversation?—I heard Mr. Way say he should be Member for Bath within two months: and I heard people in the crowd before the hustings say, "I dare say there will be a scrutiny."

1931. You said it was two or three days after you heard of the scrutiny that you mentioned this conversation?—Yes.

1932. When did you inform Mr. North, the secretary of the Liberal Association?—I cannot remember exactly.

1933. Cannot you tell to a few days?—A fortnight or three weeks.

1934. Did Mr. North write to you?—No. I believe Mr. North had communications from other parties, and I went to Mr. North; he wrote to me.

1935. Asking you to go to him?—I went and saw Mr. North.

1936. Did he write to you?—He did.

1937. Asking you to go to him?—Wanting to know what the information was.

1938. Have you got that letter?—No, I have not.

1939. In consequence of his writing to you, you went to call upon him?—I had occasion to go to Bath.

1940. Who are the parties you told this story to?—A person named Nicholls.

1941. And you told it him about a fortnight after the election?—Yes.

1942. Who are the others besides that you mentioned it to?—I do not know; it was some one who was in my company; there were four or five of us together.

1943. Do you mean it was on one occasion when you mentioned it to Nicholls, and there were other people by at the time?—Yes.

1944. You did not on two or three occasions mention it to different people?—I might have said it to several people.

1945. I know you might, but did you?—It was two or three weeks after the election.

1946. I ask you whether on other occasions than the time you told Nicholls, you told the story you have told us to-day?—Yes, one or two.

1947. When?—A week or two after the election, about Russell having the bacon.

 1948. Before

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1948. Before or after the time you told Nicholls?—After the time.

1949. Who are those persons?—I mentioned it to a person of the name of Hancock.

1950. After you mentioned it to Nicholls?—Yes, I believe so.

1951. Who was by when you mentioned it to Hancock?—I do not remember any one else being there.

1952. Where was it you told him?—At my house, where I live.

1953. Two or three weeks after the election?—Somewhere about that time.

1954. What brought him to your house?—He is often there; he is my brother-in-law.

1955. Is he here?—No.

1956. Is Phillips here?—Yes.

1957. Is Nicholls here?—No, he is not here.

1958. Who were by when you mentioned it to Nicholls?—I do not know who it was now, I am sure.

1959. Where was it?—Somewhere in the town.

1960. Where; was it at your house, or in the street?—I think it was in Walcot-street.

1961. In the street?—Yes, I think it was; the first time I saw him.

1962. Did you meet him accidentally, or how?—I met him accidentally; he was acquainted with Russell.

1963. And then you told it him?—I told him.

1964. Did you mention it to anybody else?—I do not know now; in fact, several people knowed it from Nicholls and the others speaking about it.

1965. Did you tell it to anybody else?—I do not know that I did, more than Mr. North.

1966. Mr. *Clerk.*] Where is the letter that you received from Mr. North?—I do not know; I destroyed it, I dare say.

1967. You do not know where it is?—No.

1968. You have not kept it?—No.

1969. You believe you destroyed it?—Yes.

1970. *Committee.*] Will you state the contents of the letter, as well as you can remember?—Mr. North wished me to attend the Liberal committee-room, and state what I knew about the bacon; that was all.

1971. And after the receipt of that letter you went, did you?—I do not think I went for a fortnight.

1972. Did he tell you where to go?—There was a meeting going to take place there.

1973. Did you go to that meeting?—No; I was working for Lord Radnor, and could not leave.

1974. When did you go to Lord Radnor?—Some time in May.

1975. Did Mr. North's letter say from whom he had received the information?—No, it did not; I do not remember that it did.

1976. But he told you he had received the information, and wished you to go to the committee-room?—Yes, and I went there.

1977. And you saw Mr. North there?—I did.

1978. Was there anybody with Mr. North?—I think there was a gentleman in the room at the time.

1979. What time was that; how long after the election?—I cannot say.

1980. Was it in May?—Some time at the latter part of May.

1981. After you had done your work at Lord Radnor's?—Yes.

1982. Were you working at the time?—Yes.

[The Witness withdrew.

George Phillips was called in; and, having been sworn, was examined by Mr. *Clerk*, as follows:

George Phillips.

1983. WHAT are you?—A painter.

1984. At Bath?—Yes.

1985. Do you know John Fletcher, also a painter?—Yes.

1986. Do you work with him sometimes?—Sometimes.

1987. Do you know John Russell, of Old Orchard, in Bath?—Yes.

1988. Did you at any time after the election see John Russell in Westgate-street?—I did.

1989. How

1989. How many days after the election was it?—I think it was two days after the election; I will not be certain for a day.

1990. Where were you in Westgate-street?—At the corner by Whitaker's.

1991. At the corner of the street?—Yes.

1992. Was anyone with you?—Fletcher.

1993. How came you to see Russell?—He was coming down the street, and we were coming up from Kingsmead-square.

1994. Did you meet him?—We met him at the corner.

1995. Did you hear any conversation between Fletcher and Russell?—Yes.

1996. Now tell us slowly, collect yourself and tell us slowly, all the conversation you heard between those two; who began the conversation?—Fletcher.

1997. What did he say?—"Well," he said, "Russell, who do you vote for?" "I hardly know," he said, "who I voted for; there were some of Mr. Way's party, and Mr. King came boring me, and I said I voted for Mr. Elton and Way."

1998. What more passed after that?—Then Fletcher said, "I suppose you got something for it?" he said, "Well, I did get a half-side of bacon." Fletcher said, "Do you expect to hear of that again?" "Yes," said he, "I dare say I shall;" there was nothing more.

1999. That was all?—That was all.

2000. *Committee.*] Who is King?—I do not know.

2001. Mr. *Clerk.*] You do not know him?—I do not.

2002. *Committee.*] You do not know who he was speaking of at all?—No.

2003. Mr. *Clerk.*] Do you know a person named King in Bath?—There is one King in the Market-place, a druggist.

2004. *Committee.*] Was that all that passed?—That was all that passed; all that I heard.

Cross-examined by Mr. *Rodwell.*

2005. Was there any more that passed that you did not hear?—I never heard no more than that.

2006. Did not Fletcher ask you particularly to listen to what he said?—No, not particularly; he said, "You hear what he says," that was all; just like that.

2007. That was after he had said that?—Yes.

2008. You are sure that is all he said?—I am sure that is all he said.

2009. That was said quite seriously, I suppose?—I do not know whether it was said seriously; it was said.

2010. Now, come, was not that said as a joke, in a joking way?—I am sure I cannot say; I do not know how it was intended.

2011. Will you pledge your oath it was said seriously?—I should not like to pledge that.

2012. Will you pledge your oath it was not said as a joke, I will put it boldly, and in a joking way?—I would not swear it.

2013. Will you swear to the Committee that that was not said as a joke, and in a joking way, upon your oath?—I could not swear.

2014. *Committee.* Will you swear that or not?—I do not know what to say.

2015. Mr. *Rodwell.*] You said it was not said seriously, or you will not swear it was said seriously; will you swear it was not said in a joke?—It may have been said in a joke.

2016. Was it?—I cannot say, I am sure.

2017. Upon your oath, was it not said in a joke chiefly?—I do not know.

2018. Do you mean to swear you do not know?—I do not.

2019. You know it was not said seriously?—I do not know, I am sure, whether he meant it or not.

Re-examined by Mr. *Clerk.*

2020. Did the man seem to be laughing at the time, or not?—No, he was not laughing at the time.

2021. *Committee.*] Do you believe he really meant it, or that he was making fun?—I do not know; what I looked at, Fletcher says, "Well, you will not mind hearing of this again?" he said, "Well, very likely I may," or something like that.

George Phillips.

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2022. Mr. *Clerk.*] When he told you he had had half a side of bacon, did he seem to you to be joking when he said that?—No, not at all; not in a joking way; not, as I have seen him, in a joking way.

2023. Do you know his manners?—Yes, I have worked with him.

2024. *Committee.*] Had you ever any other conversation with him on the subject of his vote?—No, nothing more than that.

2025. Or on the subject of that half side of bacon?—No, I never had any more conversation with him about that.

2026. Did he not say from whom he got the half side of bacon?—No.

2027. He said he had voted for Elton and Way?—Yes.

2028. And that he had got half a side of bacon?—Yes; he said he had got half a side of bacon by it.

2029. I thought they quizzed him about having this half side?—That is what he said he had had; a half side of bacon.

2030. But he did not say who from?—No.

2031. Or what for?—Or what for.

2032. Did you mention the conversation to anybody?—No; there was another person who heard part of the conversation.

2033. Did you ever mention the conversation to anybody?—Yes, to one or two persons; I said what Russell had said.

2034. Who did you mention it to?—Two or three shopmates, or something like that.

Mr. *Rodwell* was heard to open the evidence on the part of the petitioner, in support of this vote.

John Russell was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

John Russell.

2035. DID you vote for Elton and Way at the last election for Bath?—Yes.

2036. Were you bribed?—No, I never received anything from any person.

2037. Did you receive a side or half a side of bacon from any person?—No, nothing at all from any person.

Cross-examined by Mr. *Phinn.*

2038. Did you tell Fletcher you had had half a side of bacon for your vote?—As they were joking together they said to me, "There is one that had a side of bacon;" and I said, "Aye, two," and I went on. I was quite aggravated that they insulted me in the street to say so; I had no bacon; "Aye," says I, "two;" and no more passed.

2039. Did you promise to vote for Tite?—No, I did not.

2040. Did you tell Russell you would vote for Tite?—Tell Russell?

2041. Tell Fletcher that you would?—No, I did not tell a soul that I would vote for anybody but the persons I voted for.

2042. When were you first asked to vote?—I was ill at the time; I went no further from our place than the Cattle-market; I do not suppose I was out ten minutes, because I was at home and in bed again soon after.

2043. Who first asked you to vote?—I think it was Mr. King.

2044. Had you not told Fletcher you would vote for Tite and Elton?—Not to my knowledge, I never did.

2045. Are you sure you did not?—No, I did not tell him who I was going to vote for, for I did not exactly know who I should vote for.

2046. *Committee.*] Did you say you were ill when they came to ask you for your vote?—I was abed.

2047. Were you in bed when they asked you for your vote?—I was abed, in bed at the time; it was the day before, I think it was; I think I was very ill; I think it was Mr. King, in Milsom-street, came to me, and he said, "Get up, and go down."

2048. Had you ever voted at any election before?—Never.

2049. Mr. *Phinn.*] Had you told anybody before you would vote for Tite?—No, never.

2050. Are you sure of that?—Yes.

2051. Do you know Mr. Frederick Price?—No.

2052. George

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2052. George Frederick Price?—I do not.

2053. He keeps the Dolphin Inn?—I know him; but I never spoke to the man in my life that I know of.

2054. Did he speak to you?—He never spoke to me, that I am confident of.

2055. Were you in the street a day or two after the election, in Westgate-street?—I am not exactly sure; I know I was, either the day I gave my vote or the day after.

2056. Do you know Fletcher?—Yes, I do.

2057. Do you know Phillips?—Yes, I have worked with him.

2058. Do you remember seeing Fletcher and Phillips in Westgate-street together?—Yes; I think that was charging me, joking or speaking about half a side of bacon.

2059. Did Fletcher tell you you had run from your word?—Not to my knowledge.

2060. Will you swear he did not; recollect yourself, it is a serious matter; will you swear that Fletcher did not tell you so?—I will take my oath he did not, to my knowledge.

2061. Did he not say to you you were not a man of your word?—Not to my knowledge.

2062. Did he or did he not?—He did not; I never told him who I was going to vote for.

2063. Did he or did he not tell you you were not a man of your word?—No, he did not.

2064. Why did you not tell us that at first; did he say anything like that?—He did not say that I was not a man of my word; it was a lot of rubbish altogether, talking and bothering, that I can hardly tell what I did say; I know I was angry when they said I had a side of bacon, pointing to some respectable man going up.

2065. Did you not tell Fletcher that your wife knew all about it, and that she had had a flitch of bacon?—My wife had had a flitch of bacon?

2066. Half a side of bacon?—No, I did not.

2067. Is your wife here?—No.

2068. Was there any bacon in the house?—No, I had not a bit of bacon in the house at the time; I do not know whether I had any meat at all, to tell you the truth.

[The Witness withdrew.

Mrs. *Rosanna Russell* was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mrs. R. Russell.

2069. DID you receive from any one, about the time of the Bath election, any bacon?—I did not; we had not any bacon in the house that I am aware of.

Cross-examined by Mr. *Phinn.*

2070. Did any one come to you for your husband's vote?—A gentleman called several times and left a card; Mr. Way called himself once, and several other gentlemen, but I could not name them. One I could not, Mr Richard King, and Mr. Bartrum, and Mr. Smart.

2071. You had several calls for your husband's vote?—Yes, but not anything in the way of bribery.

2072. How long before the election was the first call for the vote?—I think it might have been a week previous to the election; I do not think it was more.

2073. How many, between the first call and the election, how many times do you think people called for your husband's vote?—I do not think more than three or four times.

2074. On each occasion did they see your husband?—They did not, he was too unwell.

2075. How often did they see your husband?—I am not aware that any one saw him, only on the morning of the polling.

2076. Did you mention to him these calls?—Of course I named it, and showed him the card when he came home at his dinner hour.

2077. Do you know Mr. Price?—Not that I am aware of.

Mrs. R. Russell.

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2078. The man who keeps the Dolphin?—I cannot say I do.

2079. Did anybody call on behalf of Sir Arthur Elton and Mr. Tite?—One elderly gentleman called one evening.

2080. Did he see your husband?—He did see him; he happened to be home from work between six and seven o'clock; it might be later.

2081. Was that before the gentlemen on the other side called?—Before the first that called.

2082. Did you hear what passed between your husband and him?—I think he asked him who he was going to vote for, and I think his reply was, he should vote for the Liberal party; but he did not know, he had not made up his mind.

2083. As far as you recollect, when these gentlemen who were canvassing for Mr. Way called, they did not see your husband?—They did not.

2084. Did they have a conversation with you?—Nothing more than leaving a card, and asking if he was at home, and I said he was not.

2085. Did they ask you to get him to give his vote for Mr. Way?—No; they did nothing more than leave a card.

2086. Are you prepared to say, that none of those gentlemen asked you to get your husband to vote for Mr. Way?—No, they never asked me the question; they only left the card.

2087. Are you quite sure of that?—I am quite sure. When Mr. Way called with two more gentlemen, he did not ask for his vote; he called with two more gentlemen.

[The Witness withdrew.

Mr. *Phinn* was heard to sum up the evidence in support of his objection to this vote.

Vote good.

ON THE VOTE OF ROBERT CHAPMAN.

Mr. *Phinn* proposed to strike off this vote, on the ground that the voter had been bribed.

Henry Stoyles was called in; and, having been sworn, was Examined by Mr. *Phinn,* as follows:

Henry Stoyles.

2088. WHAT are you?—A tailor.

2089. Where do you live?—In Paradise-street, Holloway.

2090. Is that at Bath?—Yes.

2091. Do you know Chapman?—I do.

2092. Where does he reside?—In Holloway.

2093. Have you known him for a long time?—I have known him for these 20 years.

2094. What is he?—A butcher.

2095. What sort of a shop does he keep?—He generally keeps a shop to sell offal and very small joints.

2096. Do you know Captain Haviland?—I do.

2097. And Captain Dolphin and Mr. Bartrum?—Yes.

2098. What is Mr. Bartrum?—A solicitor.

2099. Is his name Joseph, do you know?—I am sure I do not know his Christian name.

2100. Did you see them at any time on the Wednesday before the election; Captain Dolphin, Captain Haviland, and Mr. Bartrum?—I did.

2101. Where did you see them?—At Mr. Way's committee-room.

2102. Where was that?—At Whitcombe

2103. Where in Whitcombe?—Claverton-street.

2104. Was it at a public-house or a common house?—At Mr. Foxwell's, the Masons.

2105. How far is that from Holloway?—Not above 200 yards, I should think.

2106. What passed between you and them on the Wednesday?

Mr. *Rodwell* objected to the question.

[The Witness was ordered to withdraw.

Mr.

Mr. *Rodwell* was in part heard in support of his objection.

The question was waived.

The Witness was again called in.

2107. You saw these gentlemen?—I did.

2108. Do not tell us what passed between them, but in consequence of something that passed, did you go down and see Chapman?—I did.

2109. Where did you find him?—In the shop.

2110. What did you say to Chapman, or what did Chapman say to you?—I asked him for his vote for Mr. Way, and he said a better man than me must come.

2111. Mr. *Rodwell.*] "A better man than you"?—Yes.

2112. Mr. *Phinn.*] On receiving that answer, what did you do?—I went along to the committe-room.

2113. And whom did you see when you went along the committee-room?—Captain Dolphin.

2114. Anybody else?—Mr. Bartrum and lots of others?—I cannot remember who.

2115. Did anybody go from the committee with you anywhere?—Captain Dolphin went with me, and some other person; I am not certain of his name.

2116. Where did you go to?—To Chapman's.

2117. Where did you go to Chapman's?—To his shop.

2118. Now tell us what passed?—Captain Dolphin asked for the vote.

2119. Asked who?—Asked Chapman, and Chapman made the remark that he was a very poor man, and Captain Dolphin said, in a very jocular way, "A bullock would look well in your shop."

2120. Chapman said, I am a very poor man?—Yes, this passed in a jocular way about the bullock; I was outside the door when this took place.

2121. Is it a butcher's shop open to the street?—It is.

2122. With an open window for hanging meat up?—Yes.

2123. Captain Dolphin said that?—Yes.

2124. What more passed?—I did not hear anything else.

2125. Did Chapman promise his vote?—I did not hear him promise, it was rather in an under tone; but I heard afterwards that Chapman had promised his vote.

2126. You did not hear any promise given?—I did not.

2127. *Committee.*] He says he was outside the door; did he overhear this, or was he one of the company present?—I was one of the company present, but I was outside the door; that was the only remark made.

2128. Did the parties know that they were speaking in your hearing?—O yes.

2129. You did not hear any promise made?—I did not.

2130. Mr. *Phinn.*] You are quite sure that you heard the words, "I am a very poor man?"—I did.

2131. When Captain Dolphin said, "A bullock would look well in your shop," did Chapman say anything?—I did not hear him say anything.

2132. How was the shop furnished then?—It was very empty at that time, at least there was offal; it was on a Wednesday.

2133. Is Wednesday a market-day in Bath?—It is.

2134. *Committee.*] What time in the day was this?—I think about four o'clock in the afternoon; I am not precise to the hour.

2135. You think it was before four?—It may be, or it may be after, I cannot say.

2136. Mr. *Phinn.*] On the Saturday did you see anything in the shop?—I saw some beef in the shop.

2137. How much do you think?—Some joints cut up.

2138. *Committee.*] Was this the following Saturday?—The following Saturday.

2139. How long was it before the election?—The election was on the Friday as this was on the Saturday.

2140. And you saw the beef the day after the election?—Yes.

2141. Mr. *Phinn.*] How much beef did you see there?—Several joints cut up.

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2142. Had you seen as much there before?—Very seldom.

2143. Recently; had you passed the shop often?—Yes, I passed the shop every day.

2144. Some time previous had you seen as much meat there before; about a month before, for instance?—Oh yes; I have seen as much meat there before.

2145. About a month before?—Yes.

2146. *Committee.*] Saturday is the market-day?—Wednesday and Saturday; Saturday is the principal market-day. You would expect to see more meat in a butcher's shop on a Saturday than on a Wednesday; there is always more on Saturday.

2147. Mr. *Phinn.*] Do you remember seeing Chapman after the election?—I do.

2148. Can you mention to the Committee the day?—I cannot mention the day.

2149. Can you mention the month?—I do not think I can mention the month.

2150. Where was it?—At Mr. Hoare's, at the Railway Station tavern.

2151. How long after the election do you think it was?—Some month or five weeks, or from that to six.

2152. Do you remember saying anything to him?—I did, but what I said I do not remember; at the time I did not think anything of it, for I was not aware it was going to be brought here; it was said more out of a little bit of lark than anything else.

2153. What did you say?—I joked him and said, "Did you not have a five-pound note for voting?"

2154. What did he say to that?—He said he never had, and that if I told him so again he would knock me down.

2155. Did you say anything about the beef?—I may have said so, but I do not recollect.

2156. Just recollect?—It is very likely I did.

2157. Had you a vote at the last election?—I had not.

2158. Which side did you take?—The Conservative side, and I always have.

2159. As you took the Conservative side, just recollect what you said to Chapman?—Well, I called on him for his vote.

2160. But here, at the Railway tavern; we will come to the vote presently?—Well, I cannot recollect what was said.

2161. Try?—It is impossible; there was a lot of us talking together, and it is almost impossible for me to recollect.

2162. Did you tell Mr. Slack what had passed?—I did.

2163. You recollected it then?—I recollected it when it was read over to me, but I cannot recollect it now.

2164. Did you tell him something before it was read over to you; did you, before it was read over to you, tell him your story; what you had to say?—Yes, I did.

2165. Then it was written down and read over to you?—Yes.

2166. And you were asked if it was correct?—I was asked if it was correct.

2167. How long ago is that?—Last Saturday, I think.

2168. You had the conversation pretty fresh in your memory last Saturday; just tell us what passed at the Railway hotel?—I was at the Railway hotel, and Chapman came in, and I asked him about—— I had Chapman's evidence read over to me, what was said there, and Mr. Slack asked me if it was right.

2169. I want you to tell me what took place at the Railway hotel?—I got bantering him about the election.

2170. What was said about the beef?—I asked him whether it was a quarter of beef or a bullock, or a side, or something like that.

2171. What did he say?—He said that if I said it again he would knock my damned head off, or something of that kind.

2172. What had you said about it?—I really cannot say.

2173. Try and recollect?—It is impossible.

2174. Did you recollect last Saturday what had been said?—I did when it was read over to me, but not before.

2175. But you had told it, had you not, before it was read over to you?—No; another party had heard it.

2176. Had

2176. Had you not told Mr. Slack?—No, I did not know what the conversation was till Mr. Corlins read it over to me.

2177. Did you tell Mr. Slack your story?—With regard to Mr. Chapman, do you mean?

2178. Yes?—I did not tell him anything; it was read over to me, and I said that that conversation I believed did take place; I do not recollect any particular conversation about it.

2179. Tell us what the conversation was that did take place?—I cannot; I cannot tell you the conversation.

2180. Did you see Chapman again?—I did see Chapman afterwards.

2181. Where?—At Mrs. Hoare's, at Holloway; I was there, and he came in promiscuously; he came in and asked me to treat him to something to drink.

2182. *Committee.*] You saw Mr. Chapman again?—Yes.

2183. When was that?—On Wednesday; this very day week.

2184. Only a week ago?— Yes.

2185. Mr. *Phinn.*] What took place then?—He came in very good-tempered, and said, "Well, old fellow, are you going to stand something to drink?" and he said, "You were wrong, old fellow; it was not a whole bullock; it was only half a bullock."

2186. Had you said anything to him that made him say that?—He knew it ever since the conversation that took place at Mrs. Hoare's; every time we met afterwards we had something to say about it.

2187. Do you remember anything more being said?—I do not.

2188. Did you say anything to him?—I may have said that he would have to come to London; I think I did say that.

2189. When you said that what did he say?—I cannot recollect.

2190. Yes, you can?—No, I cannot; when you are in a house where there is a lot of people you cannot recollect the whole of the conversation.

2191. Have you been to Mr. Williams?—I have not.

2192. To Mr. Rose?—No; I have never seen or spoken to anybody connected with the Conservative party, except my own friends at Whitcomb, ever since the election.

2193. Are you quite sure of that?—Positive; I do not think that Mr. Williams ever saw me during the election, or since.

2194. Or Mr. Williams's clerk?—No; I have not had any conversation with a soul, save Mr. Slack and his clerks.

2195. Try and recollect what took place so recently as the 9th of this month?—We sat and chaffed a little about the election; I said "We shall both have to go to London;" It was more in nonsense than anything else; it is impossible for me to recollect what was said; I am so fond of lark and banter, that I do not know what I do say half my time.

2196. When you said he would have to go to London, what did he say?—He said he hoped he should have to go.

2197. Did he say anything about the bullock?—That it was only half a bullock.

2198. Cannot you recollect what took place at Hoare's?—I cannot; he was there, and we were drinking together, and he got to high words with me for what I was saying to him; when it was read over to me, I said it was perfectly right.

Mr. *Rodwell* proposed to sum up the evidence in support of this vote.

The *Committee,* without hearing Mr. Rodwell, decided that the vote should remain on the poll as a vote for the petitioner.

Mr. *Rodwell* prayed the Committee to declare that the objection to this vote was frivolous and vexatious.

Mr. *Phinn,* on the part of the Sitting Member, opposed the application.

The *Committee* decided against Mr. Rodwell's application.

ON THE VOTE OF MARK DUNSCOMBE.

Mr. *Karslake* proposed to strike this vote off the poll, on the ground that the voter had been bribed.

Mark Dunscombe was called in; and, having been sworn, was Examined by Mr. *Karslake*, as follows:

M. Dunscombe.

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2199. ARE you a gardener, living at Bath?—Yes.

2200. You are a voter for Bath?—Yes.

2201. Had you before the election made any promise, some two or three days before the election, to vote at the election?—Yes, I had promised.

2202. Who had you promised to vote for?—Mr. Tite.

2203. To whom did you make that promise?—I was attended with a card, a voting card, and I told him I should vote for him, because I called to North to know whether my vote was safe or not; because I did not know, whether by my moving my vote was safe, and he said, "Your vote is safe," and they gave me the card, and I promised to vote.

2204. *Committee.*] With Tite only on the card?—I did not promise exactly to Tite and Elton, I meant to vote for one or the other, but I did not say I would vote altogether for one; I always was of the Liberal party; I always did vote that way.

2205. You had not made up your mind whether you would vote for Tite and Elton or Tite alone?—No, I said, you give it for Tite.

2206. Had you voted for the Liberal side before?—No.

2207. *Committee.*] Had you had a vote before?—No; by moving I could not give my vote.

2208. Mr. *Karslake.*] At other elections, have you voted for the Liberal side?—Yes.

2209. Always?—Yes, I voted for Duncombe and Roebuck twice.

2210. Do you remember, after you had promised to vote, being at work at Mrs. East's garden?—Yes; I was not in the garden, I was in the road.

2211. Is that at No. 5, Darlington-place?—Yes.

2212. In Bath?—Yes.

2213. On what day was that?—The day of the election, I cannot recollect.

2214. Was it on the day of the election?—Yes, on the day of the election.

2215. While you were at work in Mrs. East's garden, did anybody come to you?—Yes.

2216. Who?—Mr. Hutton told me, that was his name that was along with Captain Dolphin in the fly.

2217. Is Mr. Hutton a clerk to Mr. Bartrum, do you know?—Yes, he is.

2218. And Captain Dolphin was in the fly?—Yes.

2219. Did Mr. Hutton get out of the fly?—Yes.

2220. He came to you, and what did he say to you?—He said, "Are you Mark Dunscombe?" and I said, "Yes;" he said, "Here is a gentleman wants to speak to you;" I said, "What gentleman?" he said "Captain Dolphin," and I said, "Captain Dolphin; I have promised the other party; I cannot do that;" "Oh!" he said, "you must come down, he wants to speak to you, he will make it all right with you," and I went back to him to the fly.

2221. Before you went back to the fly with him, what did he do; anything, when he said he would make it all right?—No, he said my wife had told them where I was.

2222. And he would made it all right with you; at that time did he do anything; did he make any sign?—He said, "Come in"; "Come in," he said; he just put his hand like this (*describing it*); "Come in, into the 'bus;'" we call it a fly, and I did not get in for a bit.

2223. Did you go over to the fly?—Yes.

2224. Who was there?—Captaim Dolphin.

2225. Now, tell us what passed between you and Captain Dolphin?—I told him that by voting in that way I really lost a great deal of work; I did not want to vote in that way at all.

2226. What did he say to you first?—He said, "I will give you my work."

2227. When you first went to the fly, did Captain Dolphin say anything to you?—He told me to come in.

2228. What did he say when you got in?—He said he would make it all right with me, and that he would let me have his word.

2229. Will you tell us from the time you got to the fly, and began talking to Captain

Captain Dolphin; what did he say?—The Captain told me to go down, and give one to Way and one to Elton.

2230. What did you say to that?—I said, "I do not want to vote that way at all." "Oh," he said, "You give us one, I do not want it for both; give us one vote"; then the other, Hutton, said, "Give us a plumper at once."

2231. Did Captain Dolphin say anything to that?—No, he did not; he went off.

2232. You say, in the course of this conversation you had said something about your work?—Yes; I lost my work a good deal by voting.

2233. When you said that, what did Captain Dolphin say?—He said he had made that right enough; that I should have his work.

2234. Did he say what work he referred to?—No; he said a garden; but his was a little garden.

2235. Has he got a garden?—He said a little garden; I never saw a garden. I called there, but he was not at home.

2236. After Hutton had said, "Give us a plumper," what else was said?—He said, No, he did not wish me to give him but one; between Elton and Way.

2237. Did you go in the fly with Captain Dolphin and Mr. Hutton to the polling-booth?—Yes.

2238. At once?—Yes.

2239. And who did you vote for?—I had my card; they told me to give the card to them, and I did.

2240. Who did you vote for?—I voted for Elton and Way.

2241. Tell me about the card?—It was a voting card; I had Tite and Elton in my pocket, the card; they took that one, and they had their card.

2242. And what was on that?—I never saw it.

2243. Then they took your card, which had Tite and Elton on it, away from you?—Yes.

2244. After you had voted, where did you go?—They called for the first fly.

2245. Who did?—Mr. Bartrum's clerk; that is Mr. Hutton.

2246. Was Captain Dolphin there when he called for it?—As soon as I voted; I do not know where he went to.

2247. Who called the fly?—Mr. Hutton.

2248. Was anything given to you?—Yes.

2249. What was that?—Sixpence.

2250. And did you get into the fly?—Yes.

2251. And go back to your work?—Yes.

2252. Why did you vote for Way?—Because he promised me the work, and not only that, but I was working for a lady as was of the same party.

2253. You say that at former elections you had voted for Liberals?—Yes.

2254. For whom should you have voted at this election if Captain Dolphin had not called on you or seen you?—For Tite and Elton.

Cross-examined by Mr. *Rodwell.*

2255. What time of the day was it that they came to see you?—I think it was about 12 o'clock.

2256. Why had you not voted at 12 o'clock?—I was going to vote at three o'clock, because I lost a quarter; I was not going back afterwards.

2257. You told me, friend, that you should not have voted for Mr. Way unless Captain Dolphin had called upon you, and unless you had been working for a lady of the same party?—No more I should.

2258. What is the name of that lady?—Mrs. East.

2259. Then your object was so to vote that you should not lose work?—I did do it because I should not lose my work.

2260. Then you would have voted for Mr. Tite and Sir Arthur Elton, because you would have kept your work?—Keep my work?

2261. You told Captain Dolphin when he came to you that you were afraid to vote for Way, because you should lose your work; that is what you said you told him?—I said I had lost a good deal of work in that party, if I did vote for them.

2262. Did you mean this, that if you voted for Way you would lose your work?—That I should lose my work.

2263. Did you tell Captain Dolphin that?—I did not mean to vote in that party at all; I meant to vote for the Liberals; that was my party.

 2264. When

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2264. When Captain Dolphin asked you to vote for Mr. Way, did you not tell him that you could not vote for Mr. Way, because you would lose your work from the other party?—But you see I had lost a good deal of work in voting; that is what I mentioned just now.

2265. Did you tell Captain Dolphin that if you voted for Mr. Way you would lose work?—I told Captain Dolphin that; I said I had voted for the Liberal party, but I knew I lost a good deal of work by voting.

2266. *Committee.*] By voting for whom?—I said "I know that I lose a good deal of work by voting;" I mean the parties I have been talking about; it was not voting for the general election, but for the town council I meant.

2267. Mr. *Rodwell.*] From which party had you lost work?—Not particularly lost work; but I knew that I had, in voting for the town council, lost work for both parties in that way.

2268. It would have been better for you not to have voted at all, would it not?—That is what I would rather have done, only it was the Liberal party I did always vote for when I did vote.

2269. Would it not have suited your purpose best not to have voted at all?—Far better.

2270. Then Captain Dolphin said, "I will make that right; you shall have some of my work"?—He told me that.

2271. *Committee.*] You do not mean with regard to political voting, but when Captain Dolphin told you that he would give you work, what he said might equally apply to the work you would gain by voting for town council, as well as to your voting at the election; you mean that by voting in any way you lost work; you have stated before that you have always voted one way?—Yes, always for the Liberal party.

2272. But you say that you have lost work by voting?—Yes.

2273. By which you mean voting for town council, and on other different occasions?—Yes.

2274. Not relating to elections?—Yes.

2275. When Captain Dolphin said he would make it right to you, and you should have some work, that might apply, might it not, to work which you would gain either by voting to elections, or by voting for town council?—I never mentioned the town council.

2276. But you meant it so, did you not?—I meant it so.

2277. Mr. *Rodwell.*] This lady that you were working for, was she of the Conservative party?—Yes.

2278. Your working for her partly induced you to vote for her, did it not?—Of course it did.

2279. Then am I right in saying that you promised your vote for Mr. Tite and Sir Arthur Elton because you got your work from that party?—It was as much one as the other.

2280. Only you have said you voted for Mr. Way on this occasion partly because you were employed by a lady of his party; that is true, is it not?—Yes.

2281. You did not know Captain Dolphin's garden, did you?—No; I never saw it.

2282. Who have you been working for since the election? Did you go back and work for this lady?—Sometimes we go up with gravel; we have days to go out; we go to that lady and to different places; we are not bound to one place.

2283. You know that Captain Dolphin has no garden of his own, do you not?—He told me that he had a little garden.

2284. You know his house?—I have called there once, but I never saw him.

2285. Was this lady a friend of Captain Dolphin's, do you know; I do not know.

2286. You have worked for her since?—Yes.

2287. And have you worked for any of Mr. Tite's friends since?—I do not know particularly Mr. Tite's friends, for I work a good deal on my own account.

Re-examined by Mr. *Karslake.*

2288. You work by the day?—Yes.

2289. You say you had promised your vote to Tite before; had you at the time

time when this conversation took place between you and Captain Dolphin your card for voting in your pocket?—Yes. *Mark Dunscombe.*

2290. And you were going to vote on that day at three o'clock, you say?—Yes. 15 July 1857.

2291. That was in order not to lose a quarter?—I should not have got back to my work after that quarter.

2292. Then you would have gone at three o'clock and left your work entirely?—Yes.

2293. Would you have gone and voted for Tite and Elton?—Yes.

2294. You say you have called since at Captain Dolphin's?—Yes, I called, but he was not at home.

2295. For what purpose?—I called to see him, but he was not at home.

2296. What did you want?—To see whether he wanted anything done, because he promised me.

Examined by the *Committee.*

2297. In the first instance, when you thought of voting at this election, did you mean to vote for both parties, Tite and Elton, or for Tite only?—I should have voted for Tite only if I found he was behind; I should have given him a plumper; that is my meaning; that is what I should have done.

2298. Then you voted for Way because you got some work by it?—As Captain Dolphin promised me his work; as he told me he would call at my house and see me and not forget me, I voted for him.

2299. That is your principle of voting?—Yes.

2300. On previous occasions had you met with some injury and loss of work through voting?—In former years back I had lost a little work in voting, because a gentleman had done me some favour once, Mr. Crutwell; I voted for him as town council, and then I was turned out of some work by the other party; I always vote for the Liberal party.

2301. Mr. *Rodwell.*] Mr. Crutwell was a Conservative, was he not?—Yes; I voted for him at that time.

2302. And you lost work by that?—I did.

[The Witness withdrew.

Mr. *Charles Moore* was called in; and, having been sworn, was Examined by Mr. *Karslake.*

2303. DO you live at Bath?—I do. Mr. *C. Moore.*

2304. What are you?—A gentleman.

2305. A Liberal in politics, I believe?—Yes.

2306. Do you know Mark Dunscombe?—I did.

2307. How long before the election did you canvass him?—A week previous to the election, or in the week of the election; a few days before the election.

2308. Did he promise you to vote?—He did.

2309. For whom?—Tite and Elton.

2310. *Committee.*] Was this the first time you asked him?—Yes.

2311. Did he say anything to you to the effect that he should vote for Tite, and that if he found Elton behind he should vote for him too?—No; he made some remark that he had always voted for the Liberals.

2312. Mr. *Karslake.*] You afterwards found that he voted for Way and Elton?—I did.

2313. And had you some conversation with him on the subject?—Yes.

Cross-examined by Mr. *Rodwell.*

2314. Did he not make some observation to you about the loss of work; try and recollect?—I do not recollect it.

2315. Do you not recollect something being said about his always voting and losing work by it?—No, I do not recollect it.

2316. There was something said about it, if you recollect, at the time when you canvassed him; did he not use the word "party"?—I do not clearly recollect; I think there was some conversation of the kind.

2317. But you cannot recollect what it was?—No, I do not.

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2318. Was the conversation which you had with him before or after he had promised you his vote?—I do not remember.

2319. Who was with you?—No one.

2320. You went alone?—Yes; his wife was present.

2321. Did she not say something about the party; just recollect; did she not mention a lady's name?—Certainly not.

2322. Will you try and recollect whether he did not say something about "party"?—Something was said about his working with Mrs. Cross, but that was afterwards; that was not at the time I canvassed him.

2323. I am asking you particularly as to the time at which you canvassed him?—I do not remember any conversation of the kind.

2324. How long were you with him?—Perhaps five or ten minutes.

2325. Were you asking him for his vote during that time?—Not during the whole time.

2326. What else were you doing?—As soon as the conversation was over respecting the canvass I left him at once.

2327. Were you five or ten minutes canvassing him?—It might not have been five minutes.

2328. What was the conversation about?—Merely about his voting for Tite and Elton.

2329. And you do not recollect his mentioning anything about work?—I do not.

2330. Will you undertook to say that he did not?—I will not swear that he did not, but I have no recollection of it.

2331. Did he say that it had been a loss to him voting for the party; do you recollect any expression of that sort?—I think there was something of the kind.

2332. You think there was something of the kind?—I think there was; I do not recollect the conversation.

2333. You say there was something said about the loss of work, or about work; was not that about the loss of work?—I think there was something to the effect that he had; it was after; it was when I was talking to him about his not having voted.

2334. I am not asking you about that?—I do not remember it at that time.

2335. You told me just now that there was something said about work?—There was something said about work.

2336. At the time of canvassing?—No, I think not.

2337. Will you swear that it was not?—I will not, because I have no recollection of it.

2338. You have no recollection, one way or the other?—No, I have not.

2339. You only canvassed once?—No, I did not.

2340. And that was alone?—Yes.

2341. Have you ever had any conversation with him about the property or income tax?—I have.

2342. Was that at the time you canvassed him?—It was.

2343. Will you be good enough to tell us what it was that you said to him?—I recollect that he was telling me that he had been used very badly by his landlord; that his landlord had effected, or had made a seizure, and had taken possession of all his stock, and that although he had made a seizure of the property he had not allowed him several payments of income tax which he ought to have allowed him.

2344. Go on?—That is all I have to say upon that point, I think.

2345. No, I think not; there is a little more, I think. How did that arise about the income tax?—He introduced it himself.

2346. When you asked him for his vote?—Yes.

2347. Now, will you tell me what you said; that is the important part?—Yes, but I said nothing beyond that.

2348. You have not told us anything you said yet; surely when you were canvassing him and he said this, you did not drop the conversation at once. I must remind you a little more; was something said about one pound?—Yes.

2349. It is hard that I should have to give you a clue?—Yes, I remember; I did not remember it at first. I was giving him my advice.

2350. But I want to know what your advice was, because that is the important part?—I said I believed the landlord was bound in law to return him the amount he had paid for income tax, and I said something to this effect, that I would not mind,—

mind,—I think there may have been two or three income tax receipts; I am not sure of the amount of those receipts; I think they were something like one pound each,—and I said I felt so certain the landlord was bound to return him the amount of the income tax that I should not mind giving him 1 *l.*, supposing the landlord was bound to pay it.

2351. Had you forgotten this this minute, when I asked you?—Yes.

2352. Did you ever offer in your life to buy an income tax receipt before?—I never came in contact with one before.

2353. You really, seriously, had forgotten this fact when you were canvassing this gentleman?—Yes, when I was canvassing him.

2354. But you have forgotten him now?—Yes.

2355. What did he say; that he should like to have the pound?—Yes.

2356. What did you say then?—It was merely a joke of mine; it was in reference to the liability of the landlord to return my income tax that I said it.

2357. Did he not ask you to give him the pound?—He at once ——

2358. Closed with you?—He would have closed with me.

2359. You said to him, "I should not mind giving you a pound for the chance of getting back the income tax from the landlord," and he was ready to say "done" with you, and then you said nothing more?—Just so.

2360. Do you mean that?—I do.

2361. Do you mean that positively?—I swear it.

2362. What was the meaning of your saying to him, you would not mind giving a pound for it; will you explain that to the Committee; what did you mean by that?—It might have been a foolish thing.

2363. Why was it foolish?—I had not the slightest idea of giving the man the pound for it.

2364. Then you meant to mislead him?—No, I did not.

2365. Then why did you say it. Explain to the Committee why you said it, if you had not an object?—I had no meaning.

2366. That you distinctly swear?—I distinctly swear it.

2367. You merely said it as a joke?—I did.

2368. Be good enough to tell me the words you used to him when he said, "Thank you, sir, I shall be very glad to have your pound," or whatever it was he said in reply?—I at once saw by his manner ——

2369. What did he say?—Nothing; he said something to the effect that he should be glad to take it.

2370. You told me this instant he said nothing; I must remind you you are on your oath; and now you go on to tell me he said he should be glad to take it?—I am not aware any conversation took place beyond what I have stated.

2371. I want you to give me what did take place?—I say a conversation took place with reference to these income tax receipts. I felt so sure the landlord was bound to return him the money he had paid on those receipts that I said to him, "I should not mind giving you a pound for your chance of recovery," and I saw at once by his manner that he would have accepted it if I had chosen to give it him.

2372. What did he say?—I cannot say. I saw by his manner he would be glad to have caught at it, and I said not a word on the subject, because I was not going to commit myself.

2373. Did he not say he should like to have your pound?—He did not.

2374. What words did he use?—I saw he would have been ready, but I have no recollection of a remark he made on the occasion.

2375. And you mean to state now that nothing more took place?—I do, beyond this; I then said I would speak to the assistant overseer with reference to the liability of the landlord.

2376. Did you not tell him that you would do all you could to get that money back for him?—I told him —— I did not say so; all I said was, I would speak to the assistant overseer on the subject.

2377. What for?—To see whether the landlord was not liable to return it.

2378. How long have you known Dunscombe?—I did not see him or know him before the time I canvassed him.

2379. Was he a stranger to you?—Excepting by name.

2380. Did you ever take this friendly interest in any other strangers before, with regard to getting their rates?—I only knew him from canvassing him.

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2381. Did you generally canvass voters in this sort of way for the Bath election?—I canvassed Dunscombe because he had removed from his residence, and no one knew where he had gone; I found out, and went and saw him.

2382. After you said that you would see the assistant overseer, and do what you could for him, or something to that effect, did Dunscombe say, "Thank you, sir, I am much obliged to you"?—I do not remember.

2383. What did he say?—I do not remember.

2384. Did he say anything?—I do not remember.

2385. Did he say nothing?—I do not remember.

2386. Can you tell me no more; Dunscombe has been examined, you know?—I went to the overseer, and the overseer stated this; I put the income tax receipts into an envelope; he gave them to me.

2387. You actually took the income tax receipts from your new friend, Dunscombe?—Yes.

2388. In an envelope?—No, I put them in an envelope.

2389. And then what observation did you make to him and his wife?—I said I would speak to the assistant overseer on the subject.

2390. Now give me a candid answer to this?—I should have done the same to any poor man, whether a voter or not.

2391. Did you ever do it for a poor man before?—I never had the chance of doing it.

2392. What are you?—A gentleman.

2393. Of independent means?—Yes.

2394. You took away these at all events?—I did.

2395. And when you took them away, did you go to the assistant overseer?—I did, some weeks after the election.

2396. Did you intercede then with your friend?—I spoke to the overseer, and he informed me that the probability was the seizure that had been made of his property had not realised the amount of rent, and that, consequently, Dunscombe had no power of recovery.

2397. Did you go back to Dunscombe and tell him this?—No, I did not.

2398. What became of the papers?—His wife came for them some weeks after the election.

2399. Had you some conversation with regard to this matter also with Dunscombe's wife?—She was present at the time.

2400. Independently of the words you addressed to Dunscombe upon the subject, did you say anything to his wife?—It was a conversation between all of us, and there was a third person.

2401. Did she not go to her desk and give you the papers?—She brought them to me.

2402. Did you decline to give him the pound?—Certainly; I never intended to do it.

2403. Upon that did the wife make an observation, "If you will not give the pound, see what you can do for us with the assistant overseer"?—I said so myself.

2404. Did not Mrs. Dunscombe? It is painful for me to remind a gentleman in your position; you must answer these questions?—I am not an unwilling witness.

2405. You are certainly not a willing one; did not Mrs. Dunscombe say, "Well, sir, you will not give us the pound; will you do what you can for us with the assistant overseer"?—I do not remember it.

2406. What did she say when she went to the desk to get the receipts?—I do not know that she said anything.

2407. Did you know that the receipts were in existence?—Not till they spoke of them.

2408. What did she say?—I do not know that she said anything.

2409. Will you swear that she did say nothing; I do not care which way you say?—I have no recollection of it.

2410. Did she not deliver them into your hands, and did you not take an envelope out of your own pocket and put them into it?—No; I put them in the envelope in my own house afterwards.

2411. When you folded them up and put them into your pocket, what observation did she make?—None that I am aware of.

2412. *Committee.*]

2412. *Committee.*] If you can recollect the fact of putting these things in an envelope when you got home, can you not recollect whether she said anything to you?—No; I do not recollect it.

2413. Mr. *Rodwell.*] I will give you a clue again. Did you say anything about your calling again?—Yes.

2414. What was said about that?—I said I would see him again on the subject.

2415. When?—I did not say when.

2416. Soon?—Possibly.

2417. Did you not tell him that you would see him in a day or two?—No, I did not.

2418. Did you not say that he should soon hear from you, or that you would call again about it?—I said I would see the overseer and let him know about it.

2419. How many days before the election was this?—Possibly it might have been a week.

2420. Was this the conversation that principally took place at the time when you went to canvass the voter?—Yes.

2421. Was this after he had promised his vote?—It was entirely irrespective of his vote; it was after.

2422. I want to know how after he had promised his vote this conversation turned up; did he say he was a poor man?—Yes.

2423. You had not told us that, you see?—I have not been asked it.

2424. I have asked you till I am tired of asking what took place, and I am obliged to drag every word from you; I asked you to tell me what took place, and this is the first moment that you have said anything about his saying that he was a poor man; did he tell you he was a poor man?—Yes; the whole conversation was to that effect. He said he had been served very badly by his landlord; that his things had been seized, and that he thought he ought to have been allowed the income tax which he had paid.

2425. Did he tell you, when you first went to canvass him for his vote, that he was a poor man?—Yes. I understood that thoroughly.

2426. Was that before or after he promised his vote?—I am not certain.

2427. When you first asked him for his vote, did he not tell you, "Sir, you know I am a poor man"?—No, he did not.

2428. What did he say then?—I have no recollection at all of it.

Re-examined by Mr. *Karslake.*

2429. According to your recollection, did he promise his vote freely for the Liberals?—Yes.

2430. I suppose you had information as to his feelings before you went to canvass him?—Yes. I understood that he had always voted with us. I may mention, perhaps, that I had the canvassing-books in my possession, and I found that no one knew Dunscombe's address, or had canvassed him; he was not returned in any form at all, and I found out his address and went to him.

2431. You went to him as a stranger?—I did; as I should have canvassed any other person.

2432. You were personally a stranger to him?—Just so.

2433. You canvassed him for the Liberals, and he promised you his vote freely?—He did.

2434. How did the conversation about the income tax begin?—He referred to it himself.

2435. In what way did he refer to it?—With reference to his having had his things seized; he said he had been served very badly by his landlord, and that he thought he ought to have been allowed these things.

2436. Have you the misfortune to be an income tax payer?—I have.

2437. And you know that under the Act the landlord is bound to allow it out of the rent?—I do.

2438. Was it upon that, and having reference to your knowledge of the Act of Parliament, that you said what you did about the one pound?—It was, and it had nothing whatever to do with his vote; I saw at once by his manner that I might have bought his vote if I had chosen to give the one pound he wanted.

2439. Do you recollect his saying anything?—In what way?

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2440. Did he say anything when you said you were sure the money could be recovered?—He said he was thankful to me for making an inquiry about it.

2441. You say you would have done the same for any poor man?—Yes; I have much to do with the poor, and I should be glad to assist them in any shape or form.

2442. Do I understand you to say that he had recently moved, according to your information?—Yes.

2443. What were these receipts that were given to you?—Income tax receipts.

2444. Receipts for payments which had been made by Dunscombe?—Yes.

2445. And those were the moneys which he said ought to be allowed in the rent?—Yes.

2446. You say it was some weeks after the election that you spoke to the overseers?—Several weeks after; I put the receipts in an envelope and kept them by me, because nothing should arise with reference to his vote.

2447. But you did see the overseer?—Yes.

2448. And have you communicated with him since?—Yes.

2449. Have you told him the overseer's answer?—Yes.

2450. *Committee.*] What was the answer?—The overseer thought it was not recoverable.

[The Witness withdrew.

Mr. *Karslake* proposed to address the Committee in support of his objection to this vote.

The *Committee* called on Mr. Rodwell to support the vote.

Mr. *Rodwell* was then heard on the part of the petitioner in support of the vote.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

The Counsel and parties were again called in.

Vote struck off.

ON THE VOTE OF CAPTAIN JAMES DOLPHIN.

The evidence given on the vote of Mark Dunscombe was read.

Mark Dunscombe was again called in; and he was further cross-examined by Mr. *Rodwell*, as follows:

Mark Dunscombe.

2451. DO you know a gentleman named Bartrum?—Yes.

2452. Did you see him about a week ago?—I went up to him about a week or a fortnight ago; I had lost a little knife, and I went there to see if I could find it.

2453. Did you state to him that you always intended to vote for Mr. Way?—No.

2454. Did you not?—No, I did not, because I never knowed Mr. Way. I did not know that Mr. Way was going to put up.

2455. When you heard he was going to put up, did you intend to vote for him?—No; I never knew who was going to put up.

2456. Did you say to Mr. Bartrum that you intended to vote for Mr. Way before you went up to vote for him?—No; Mr. Bartrum called me in and told me he had two good glasses of beer for me; he said, "I have something that will make your ears sing," and gave me two good glasses of beer, and I do not know the words that I spoke; I cannot mind what they were.

2457. Do you mean that you got drunk?—I think that when I went up to him a week or a fortnight ago, when he gave me the beer, I did.

2458. You do not recollect what you said to him?—I do not.

2459. Do you know Mr. Hutton by sight?—I know him by sight if I see him.

2460. Have you seen him outside here?—I thought I saw him standing at the corner.

2461. Is this the man that came with Captain Dolphin (*pointing out a person brought into the room for the purpose of being identified*)?—No, that is Broad.

2462. Did

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2462. Did he come with Captain Dolphin?—No, not with him—not Broad; that is a fellow that lives up in Holloway, a barber.

2463. Have you seen Hatton here?—I saw Mr. Bartrum or Mr. Hatton outside the door; that man you show me is a barber; Barber Broad, they call him.

2464. Mr. Moore called upon you to canvass you for your vote, did he not?—Yes, and left a card.

2465. He talked to you a good deal about your vote, did he not?—He left a card for me to vote which way I chose.

2466. Did you promise him your vote?—I told Mr. Moore that I should, and I told Mr. Hooper in Elm-place, I should.

2467. Was anything said about your income-tax when you were with Moore?—I told him I did not think I should be able to get it; he said, "No, I do not suppose you will."

2468. You did not ask him to help you?—No, not at all.

2469. He did not promise you that he would?—Not a bit of it; he said at a future time if I chose, I might carry it to my landlord.

2470. Did he not say anything about giving you one pound?—No, nor a penny.

2471. Did you give him the receipts; the income-tax receipts?—Yes, I gave them to him to look over.

2472. Did he take them away with him?—Yes, and my wife fetched them again.

2473. Did he not promise to get the money returned for you, or to see if he could get it done?—No, he said he had nothing to do with it, but after the election he said he might look them over, but my wife fetched them.

2474. He did not say he would give you 1 *l.* on the chance of your recovering the money back, or that he would go to the overseer?—No, he did not say anything about 1 *l.*

2475. Are you sure he did not?—I do not know that he did; I do not recollect anything of the kind.

2476. Did you tell him that you were a poor man?—No; I said nothing about being a poor man.

2477. How did this question arise about the income-tax?—I said I had two by me.

2478. How came you to tell him that?—I said I had two things there by me in the room.

2479. How came you to tell Mr. Moore that?—I told him the same thing as I tell you.

2480. Was that because he came to canvass you?—No; I did show every gentleman that, to see whether it was redeemable.

2481. Had you known Mr. Moore before?—Oh, yes; I had seen him, you know.

2482. Had you ever spoken to him before?—Yes, I had worked for Mr. Moore.

2483. Had you spoken to him, and did you know him?—Yes.

2484. You knew him well, did you?—I had seen him the same as I have seen another.

2485. *Committee.*] Did you ever work for him?—Yes.

2486. Where?—Up by Saint Mark's Church; I have done gardening for him.

2487. Before the election?—Oh, yes.

2488. Did you ever work for Mr. Moore before the election?—I cannot say whether it was before, but I have worked for him up there; I have done up a little garden there, belonging to a house that was void; I think it was since, but I be not sure.

2489. Mr. *Rodwell.*] You are sure you are making no mistake about this Mr. Moore, when you say that he was no stranger to you?—Yes.

2490. If he has said that you were a stranger to him, that is a mistake of his then?—But Mr. Moore, you know, at the time of the election, did come canvassing the same as another; he brought me the card, and then I knowed him, of course; I saw it was Mr. Moore; I had seen him at church and different places.

2491. Did not Mr. Moore tell you that he would give you 1 *l.* upon the chance of your getting the money allowed you; and did you not tell him you would be very glad to take it?—No, I never said I should be very glad to take it.

2492. Did you say to him that you should like to have it?—I said I should like to have the money if it was redeemable.

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2493. But as to the 1 *l.*—No; whether my wife had anything to do with it or not, I do not know.

2494. *Committee.*] Did you say you should like to have the money if it was redeemable?—I said I should like to get the money if it was redeemable, and that I should write to my landlord.

2495. Did you say that to Mr. Moore?—I do not know that I did, it is a good bit ago, and my memory does not serve me.

2496. Mr. *Rodwell.*] Are you sure that you are correct in your recollection as to what Captain Dolphin said to you?—Yes.

2497. What did he say to you?—I told you just now; I cannot tell it over 20 times.

2498. Yes, you must tell me now?—Captain Dolphin told me that if I was to vote for him he would give me his work, and that he should call on me; he said, "I shall not forget you," he said, "I will not forget you, I will give you my work."

2499. That was after you had spoken to him about losing work?—I do not know about losing work altogether; sometimes we do lose half a day.

2500. And that was all that was said by him?—But there was a good deal said.

Re-examined by Mr. *Karslake.*

2501. I think he forgot to call upon you, and you called upon him?—He seed me twice in the street.

2502. You called upon him to get the work, and did not find him at home?—I called to know if the captain was at home, as I was passing up to Mr. Bartrum's.

2503. You say you had seen Mr. Moore before he had called upon you with the card?—I had seen him about in the streets, and not only that, but coming from his own place.

2504. You knew him by sight?—That is all.

2505. When was it that Mr. Bartrum sent for you?—He never sent for me.

2506. When was it that you went to Mr. Bartrum's?—It was a rainy day, I know; I got wet through going there; I know it was on a Tuesday.

2507. How many Tuesdays ago?—Three or four.

2508. Who came for you?—Nobody.

2509. You went there for some purpose, I suppose?—When the election was over I enquired of the tax gatherer who it was brought me down, he said Mr. Bartrum; I went up to Mr. Bartrum's to know about my knife, and he said it was his clerk.

2510. Then, you had two good glasses of beer there?—I had.

2511. And what effect had that upon your head?—They made me so that I could only walk down.

Examined by the *Committee.*

2512. Is the beer very strong at Bath?—Mr. Bartrum's was very strong.

2513. You would not mind tasting it again, I dare say?—No; I would not drink it this hot weather; I should not know how to find my way home if I did.

2514. You have said that when you complained of having been injured by voting, Captain Dolphin said he would find you work?—He said, "If you get in along with me I will give you my work, and you may depend upon it I shall visit you; I shall come and see you."

2515. What answer did you give to that?—I said, "If you say you will do that, I hope you will if I do vote for you, for I always vote for the other party."

2516. You said, "If you say you will do that I hope you will"?—Yes. I said, "I hope you will, for I always vote for the other party."

2517. How did you vote?—I voted one and one. They took my card away.

2518. What was your vote?—My vote that they put down was for Elton and Way, but I never saw their card. They done what they pleased.

[The Witness withdrew.

John

John Broad was called in; and having been sworn, was Examined by Mr. *Rodwell*, as follows:

John Broad.

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2519. DO you recollect the day of the election?—I am not speaking of the election; the canvassing before the election.

2520. A day or two before the election, do you recollect going with Captain Dolphin to canvass the voter, Mark Dunscombe?—Yes, I do.

2521. Did you go in a carriage?—No, we did not; we walked up the hill.

2522. Where was he?—At his own house. We went with the expectation of seeing the son, but instead of seeing the son we saw the father.

2523. Did you hear Captain Dolphin ask him for his vote?—I did.

2524. What did he say?—He said he would not promise anyone.

2525. Who said that?—Old Mark.

2526. Did he give any reason?—He did not.

2527. Was anything said by him or by Captain Dolphin at that time about work?—Not to my knowledge.

2528. Should you have heard it if he had?—I should.

2529. Did the old man say distinctly that he would not promise anybody?—Those were his words.

Cross-examined by Mr. *Karslake.*

2530. You know Captain Dolphin well?—I do.

2531. You went to canvass with him?—I went to show him round where the voters were.

2532. Was he very active for Mr. Way?—He was.

2533. He seconded him at the nomination, did he not?—I believe he did.

2534. Have you seen him since you have been in London?—I have not.

[The Witness withdrew.

Mr. *Joseph Kilvert Bartrum* was called in; and having been sworn, was Examined by Mr. *Rodwell*, as follows:

Joseph K. Bartrum.

2535. WHAT are you?—A Solicitor.

2536. At Bath?—At Bath.

2537. Do you know Mark Dunscombe?—I did not know him until some ten days ago, except by name.

2538. Had you an interview with him about ten days ago?—I had, but what the occasion of it was I cannot remember, but I was much surprised in the evening to find a stranger come to my door, and that person was Mark Dunscombe.

2539. He came to you?—He came to me. I did not write to him, or send for him.

2540. He came voluntarily to you, so far as you know?—If there were less confusion and excitement I could remember, perhaps, the occasion that brought him to me, but I cannot.

2541. Was he a stranger to you?—He was a perfect stranger to me. I think he came to me either about some roses or fowls. I am a great poultry fancier.

2542. Where was it that he came to you?—At my private residence.

2543. When he got there did he make any statement to you?—I know the name of Mark Dunscombe, and I know he was on Mr. Williams's condemned list, and I thought I would seize the opportunity of speaking to him about his vote; so accordingly, after conversing upon a variety of subjects, I drew his attention to the subject matter, and I said to him, "Do come and tell me that you had something in the hand for voting for Mr. Way the other day." He said, "Nothing of the kind, sir; I have always liked Mr. Way from the first, and I always intended to vote for him." He said, "I considered that I should lose business by it;" I said, "What business?" he said, "Gardening;" and he said, "In fact, I have lost by it, for several persons have taken their work from me, and he mentioned the name of a Mr. Smith, of Oldfield-road, and several other persons, who, he said, had taken away the work from him in consequence of his having voted for the Conservatives; and he added, that he was exceedingly sorry that his son Dunscombe, a coal merchant, who had promised to vote for us, had not voted as he had promised.

Joseph K. Bartrum.

15 July 1867.

2544. Did you offer any inducement of any kind or description for this man to make this statement?—Most decidedly not; he came to me, I assure you; I cannot remember what was the occasion, but I think it was about some live stock that he had to dispose of; I cannot remember.

2545. Will you tell me the exact words he used when you said, "I hear, Dunscombe, that you had something in the hand for voting;" what was it he said?—He most positively denied it, and I was satisfied myself that it was the fact.

2546. That he had had nothing?—That he had had nothing.

Cross-examined by Mr. *Phinn*.

2547. Have you heard that it was reported he had had something?—It was reported by Mr. Williams; I heard it from Mr. Williams.

2548. That he had had something?—That it had been stated that he had had something.

2549. Did he not come to you about a knife?—Yes; it was about a knife, now you remind me of it.

2550. You did not remember it before?—I did not.

2551. Your memory must be slight?—Not at all.

2552. Were you in the room when he was examined?—I was not.

2553. I believe you keep rather a good tap?—I do.

2554. Did you give the old man a glass or two of beer?—I gave him one glass of beer.

2555. Did you not give him two?—I cannot say; I put a small jug of beer on the table, but whether it amounted to one glass or two I do not know.

2556. Did you give him a pint of beer?—You may call it a pint, if you like.

2557. Was it pretty strong?—It was not.

2558. Was it home-brewed?—It was not home-brewed.

2559. Was it pretty good beer?—Yes, it was good beer.

2560. You know Captain Dolphin very well?—I do.

2561. You were one of Mr. Way's paid agents, were you not?—No, I deny that; I was not one of his paid agents.

2562. Are you the Bartrum who is returned as having received 30 guineas?—I have not received it, and I have made no application for 30 guineas.

2563. It is in the auditor's account?—I know nothing about that.

2564. You have a partner, have you not?—I have.

2565. Were you one of the committee for returning Mr. Way?—Yes.

2566. Was Captain Dolphin one of the committee?—Yes.

2567. Was he very active?—Yes.

2568. It was he who first advised Mr. Way to stand, was it not?—It was, I believe.

2569. Have you seen him in London?—I have not.

Mr. *Rodwell* was heard to sum up the evidence in support of this vote.

Mr. *Karslake* was heard in support of his objection to the vote.

The counsel and parties were ordered to withdraw, and the Committee deliberated.

The counsel and parties were again called in.

Vote struck off.

[Adjourned to To-morrow, Eleven o'clock.

Die Jovis, 16° *Julii* 1857.

ON THE VOTE OF ABRAHAM JAMES.

Mr. *Cooke* proposed to strike this vote from the poll, as a vote given for the petitioner, on the ground of non-residence.

Abraham James was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Abraham James.

16 July 1857.

2570. I AM told you are by trade a Shoemaker?—Yes, sir, that is my profession.

2571. Where are you residing now?—I am residing in Westmoreland-street, in the City Road.

2572. In London?—Yes.

2573. With your wife and family?—Yes.

2574. Did you, some time ago, reside at a place called Hawthorn-house, in Walcot?—Yes.

2575. Which, I believe, you have on lease?—Yes, under an agreement.

2576. And on which you had expended, I believe, some money in repairs?—Yes.

2577. At the time of the election in March, were you residing at Westmoreland-street, City Road?—Yes.

2578. And did you go down to the election at Bath, and vote for Mr. Tite?—Yes, I did.

2579. I believe you received your travelling expenses for going to Bath and back again?—Yes.

2580. When you first came to London, I believe you came without your wife and family?—Yes.

2581. When did you first come to London yourself?—In November 1855.

2582. But you left your wife and family at that time, residing in Bath?—Yes.

2583. At what period in 1856 did your wife join you?—In February 1856.

2584. At that time, I believe, your intention was to return to Bath?—Yes, that was my intention.

2585. And you kept, I believe, two rooms of your house with your furniture in it for that purpose, whenever you liked to return?—Yes.

2586. Did you retain your furniture in those rooms up to the autumn of 1856?—

Mr. *Phinn* objected to the question.

The question was waived.

2587. How long did you retain two rooms for your furniture?—I cannot say the time that I retained those rooms.

2588. Did you retain them till towards the autumn of the year?—It would be impossible to say.

2589. What happened when you quitted; did you take the furniture from those rooms in the course of 1856?—Oh, yes.

2590. What became of the rooms; did you let them?—I let them.

2591. To a lodger?—Yes, that was the reason that I took the furniture out; to let it.

2592. To let it to a lodger?—Yes.

2593. *Committee.*] When was that?—I cannot recollect the time.

2594. Mr. *Cooke.*] Will you tell us when it was that you took out your furniture and let these rooms to the lodger; was it in August or September?—I cannot tell you; I left it in the hands of my brother to do it, so that I am not in possession of the time.

Abraham James.

16 July 1857.

2595. Was it before last Christmas?—Certainly.

2596. Before Michaelmas?—It was some time in the middle of the summer.

2597. What became of the furniture, did you get any of it into London, that you had left in those rooms?—Yes, some portion of it.

2598. Up to that time you kept your intention of returning, did you?—Yes.

2599. And you have decided not to return?—No, I have not decided not to return now.

2600. Is any of your furniture still left in Bath?—It is left in Bath, but not at the house.

2601. Where is it left?—At my brother's.

2602. The Hawthornes are let to other people?—They are let in apartments.

2603. *Committee.*] The whole house?—Yes.

2604 Mr. *Cooke.*] Did you continue in London from the time of your wife arriving, till you went to the election to vote?—Yes, with the exception of going up and down on business.

2605. You went up and down to Bath on business?—Yes.

2606. Have you been there on business since the time when the house was let; the remaining rooms were let, and that portion of the furniture came to London?—Yes, several times.

2607. Where have you gone to on those occasions?—Gone to my brother's.

2608. Has that been from Saturday to Monday; a return ticket?—Yes, something like that.

2609. Is your brother a married man?—Yes.

2610. Of the same trade as yourself?—Yes.

2611. What has been the nature of your business there; has it been to collect rents?—No, not that particularly; many other things.

2612. I do not wish to be improperly inquisitive?—No, not for that purpose particularly.

2613. Is the middle of the summer the nearest time you can tell me when you finally gave up the house, and these rooms, and got your furniture?—Yes, it is; I have tried to get proof, but I have not been able to do so.

2614. You have tried to fix the time, and have not been able to?—Yes.

2615. What do you say to about Michaelmas?—It was before that.

2616. *Committee.*] Did you pay anything to your brother for his giving you these rooms to put your furniture in?—No.

2617. Mr. *Cooke.*] What are the things that were left that your brother is taking care of?—It is a few things; the greater portion of it is here.

2618. The fewer they are the more easy they are to be told?—Such as tables washing-stands, and chests of drawers, and things of that kind; I cannot say how many.

Cross-examined by Mr. *Clerk.*

2619. You had this house on an agreement, for a lease, you say?—Yes.

2620. And you have it still, I believe?—Yes.

2621. When you left in November 1855 to come to London, was part of the house at once let out in apartments?—Yes.

2622. Immediately?—Yes, immediately.

2623. I believe you kept two rooms there as long as your wife remained?—Yes.

2624. She occupied those two rooms?—Yes, I kept three rooms.

2625. Have you children?—Yes.

2626. When your wife came up in February 1856, did the children come with her?—Yes, they did.

2627. Did you at that time give directions to your brother to let those two rooms?—Yes; at least I did not give directions to let those two rooms; to let all but one.

2628. Did you keep one for the furniture to be placed in?—Yes.

2629. *Committee.*] When was that?—In February 1856.

2630. Mr. *Clerk.*] That was when your wife and children came to join you in London?—Yes.

2631. Do you recollect whether any of the furniture was brought up when your wife and children came to London, or how soon after?—Within a month.

2632. Up

2632. Up to within about a month after your wife and children came up?—Some portion of it.

2633. Was that the furniture that you wanted to use in London?—Yes.

2634. Was some more brought up afterwards?—Yes.

2635. Did you ever give directions to your brother to let that remaining room?—No, not then.

2636. Did you afterwards?—I did afterwards.

2637. Can you tell us how soon after your wife came to London it was that you gave directions to your brother to let that other room?—I did not give him directions to let it till such time as the tenant wished to take it; the tenant had taken some other portions of the house, and wished to have another room for his use, and I told him he might give up that room, and I would have the furniture to London.

2638. Can you tell us how soon after your wife came that was?—It was some time in the summer, but as to the exact time I cannot say.

2639. And since that time you have had no furniture of your own in that house?—No, not in that house.

2640. The furniture you did not require in London, your brother has in his house?—Yes.

2641. Why have you not parted with that furniture?—Because I shall want it when I get back.

2642. When you get back to where?—To Bath again.

Re-examined by Mr. *Cooke.*

2643. When you came to London in November 1855, did you come to a situation?—Yes.

2644. And you have since given up that situation, I think, and carried on business on your own account?—Yes.

2645. *Committee.*] You are not a journeyman, but a master?—Yes.

2646. Mr. *Cooke.*] A master in the City-road?—Yes.

2647. When did you begin to be a master on your own account?—It is about five weeks ago; it is quite young.

Examined by the *Committee.*

2648. Have you got your house in Westmoreland-street on lease, or do you take it by the week?—By the year.

2649. When did you take your house by the year?—Some time in 1855.

2650. You must give me something nearer than that, because it might be January or September?—There has been an alteration in the house since I have taken it, and it has fallen into two parties' hands. When I went into it I did not go into it on a quarter-day; now I pay my rent from quarter to quarter.

2651. How did you take it when you first entered it?—I took it about the middle of the quarter.

2652. Did you take it, when you took it in the middle of the quarter, by the week, or to pay the half-quarter?—To pay the half quarter.

2653. When did you first pay rent?—In March; March 1855.

2654. You first paid rent in March 1855?—Yes.

2655. Mr. *Clerk.*] March 1856?—Yes, I mean 1856; I was mistaken.

2656. *Committee.*] Was it in March 1856 that you paid the half quarter?—It was.

2657. And from March 1856 you have paid it quarterly?—Yes; quarterly.

2658. In March 1856 you paid the half quarter due up to March 1856?—Yes.

2659. The same house?—No, not the same house.

2660. Your house in Walcot, Bath; do you let your apartments there by the week?—No; quarterly.

2661. When did you first receive rent for the two rooms; you first let two rooms, and then the man who had the two took the third?—I cannot tell you exactly.

2662. But you must, if you please?—I cannot remember; it is impossible to tell you.

Abraham James.

16 July 1857.

2663. How many quarters have you received?—I could not tell you.

2664. How much money is owing to you now; is any quarter owing to you?—Yes; there will be a quarter due to me on the 20th of July.

2665. For these two rooms?—For these rooms.

2666. What did you receive for the two rooms by the quarter?—You see, sir, they are let in with others; they are taken in with other apartments; I let it to a tenant; they wished to have this other room.

2667. Before they took the other room, what did you receive from them?—No rent at all, because they wanted it almost directly, these two rooms; there will be a quarter due the 20th of July, and my brother let them just before that.

2668. The 20th of this July?—Yes.

2669. Are you sure it was before Michaelmas that you let these two rooms?—Yes, it was the middle of the summer.

2670. Was it in June, July, or August?—I cannot tell you.

2671. But you can tell me when you first received rent for those rooms; I want to know when you first received rent for the two rooms that were first let of the three?—I received the rent altogether for all the lot.

2672. You received it from your brother?—Yes.

2673. Your brother receives the rents?—Yes; that is why I am rather at a loss to tell you the precise time.

2674. Do you give receipts yourself?—No; I send receipts sometimes, and oftentimes he gives a receipt.

2675. Have you an account running between you and your brother that is signed between you?—No; we settle it up each quarter.

2676. And you cannot tell in what quarter you first had a settlement with your brother for the rent of those two rooms?—I cannot.

[The Witness withdrew.

Mr. *Cooke* was heard to sum up the evidence against this vote.

Mr. *Clerk* was heard in support of the vote.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

Parties again called in.

Vote good.

ON THE VOTE OF JOHN LEWIS.

Mr. *Cooke* proposed to strike this vote off the poll, as a vote given for the Sitting Member, on the ground that the voter had promised a bribe.

Salvador Marchione was called in; and, having been sworn, was examined by Mr. *Cooke* as follows:

S. Marchione.

2677. ARE you an Italian?—I am not an Italian; I never was in Italy in all my life; I was in Sicily.

2678. How long have you lived in Bath?—I have been in Bath since the year 1821.

2679. You did some business in the coal way, did you not?—I have been a gentleman's servant in Bath.

2680. And then you entered into business in the coal line?—Yes; I went into business for a few years and failed; and then I had a donkey and cart, and used to go to a coal pit, and that did not last more than two years; my donkey died, and I could not raise the wind.

2681. After the death of your donkey, you went to the workhouse, did you?—I tried to get what work I could do, cleaning boots and shoes, and going errands.

2682. Do you remember the last election?—Yes.

2683. Your name was on the list of voters, was it not?—Yes.

2684. Did persons ask you for your vote?—Nobody asked me to go and give my vote, more than I heard when the election was to take place.

2685. Do you know Mr. John Lewis?—I know him.

2686. Where does he live?—He lives in Holloway.

2687. He

2687. He is a shopkeeper, is he?—Yes.

2688. Do you remember being with him on the day of the election?—I will tell you; in the morning I called at his house, and I did not see him; his wife put some bread and cheese before me, and a glass of beer, and I parted from her, and went to the polling-place, and gave my vote.

2689. For Mr. Tite?—Yes.

2690. Did you come back to Mr. Lewis's?—I did not that day.

2691. Did you not go back that day?—No, not after the election.

2692. When did you see Lewis next after you had given your vote?—I saw him in the afternoon at the polling place; I hardly said two words to him.

2693. When did he next speak to you?—Well, I do not exactly know when he spoke to me, but I know I saw him in the afternoon; I do not know whether I had any conversation with him.

2694. Do you know this gentleman, Mr. Williams, of Bath (*pointing to Mr. Williams, the petitioner's solicitor*)?—I have seen him before now; but I do not recollect the gentleman.

2695. Do you not recollect making a statement to him about Mr. Lewis?—I do not know as I did; I do not recollect as I did.

2696. In Wilson-street?—Well, I do not know; I might.

2697. Did you not?—I do not recollect whether it was or whether it is the same gentleman or not.

2698. Look at him, and see?—Well, sir; well, perhaps I might recollect the gentleman.

2699. Perhaps you do; do you recollect telling him something about the election?—I forget what the question was.

2700. Do you remember making a statement to him about the election?—I do not remember it.

2701. Do you remember telling him something about the election, and your voting?—Well; I do not recollect exactly what it was now.

2702. Did you get any money from John Lewis?—No, I did not.

2703. Not five shillings?—No, I did not.

2704. Not at any time?—No, I did not.

2705. Not since the election?—No; John Lewis gave me no five shillings at all.

2706. Did he give you any money?—No; his wife gave me some bread and cheese in the morning, and a glass of beer, and that was all.

2707. What did you get after?—I got nothing from Lewis.

2708. Who from, then?—I will tell you; the day after the election I went among some of my acquaintances, some of the voters, and a gentleman——

Mr. *Phinn* objected to the evidence.

The objection was allowed.

2709. Mr. *Cooke.*] Were you at Lewis's house after you had voted, a day or two after?—Let me see; well, I do not know as I did; I do not think I did.

2710. Just recollect; were you not there the next day?—Well, upon my word I cannot recollect.

2711. Did you get anything from the house the next day?—I did not.

2712. Nor the day after that?—Not from Lewis, I did not.

2713. Did you get five shillings at the house?—I got five shillings, but not from Lewis, though.

2714. At the house?—No, not at the house.

2715. Which day did you receive the five shillings?—The election was on the Friday, and I received it on the Saturday, the day after.

2716. *Committee.*] Was that the day after the election?—The day after the election.

2717. Mr. *Cooke.*] When Mr. Lewis saw you in the afternoon of the polling-day did he speak to you?—I saw him at the polling-place.

2718. Did you tell him you had voted?—Well, he was in the room when I went to give my vote.

2719. Did he say anything to you?—No.

2720. What time on the Saturday did you receive the five shillings?—Why, it was in the afternoon part I went to Mr. North.

2721. Was Mr. Lewis there when you saw Mr. North?—No, he was not.

S. Marchione.

16 July 1857.

2722. Had you been at Lewis's that morning?—No.

2723. Which part of the borough was it where you got your five shillings?—In York-street; I had it from Mr. North, and it was in charity that he gave it to me.

2724. Mr. North, the agent?—Yes; I was asking for some work, or something to do, and he made a present of five shillings for charity more than anything else.

2725. That was Mr. North, not Mr. Lewis?—Yes.

2726. Have you spoken to Lewis about it?—I do not know whether I did or not.

2727. On the morning of the election?—No.

2728. Had you seen him the evening before you voted?—Yes, I did.

2729. Had he not asked you to vote for their party; had not Lewis asked you to vote for that party?—Mr. Lewis told me the election was going to take place the next day.

2730. Did he come to the place where you were living?—Yes.

2731. Did he come and ask you to go and vote?—He said that the next day was to be the election, and he wanted to know if I would go and vote, and I said I would.

2732. Did you tell him you were a poor man?—Mr. Lewis knew what I am; and I am a poor man.

2733. Did you say anything about giving you anything for it?—No, not a word.

2734. Did he tell you you should have what the others had?—He did not tell me I should have anything

Cross-examined by Mr. *Phinn.*

2735. Have you always voted for the Liberals?—I always voted for the Liberal side.

2736. At every election, I believe?—Yes, I did.

2737. Did you make any bargain for your vote?—None at all; never in my life.

2738. Was the five shillings paid you for your vote, or for charity?—For charity.

2739. I believe you have had a good deal of charity given you by different people who have been very kind to you?—I have been very bad off lately.

2740. Has Mr. Lewis always been kind to you?—Not particularly.

2741. He has given you a cup of tea sometimes?—Well, Mrs. Lewis has very often, when I have called upon her, asked me to sit down, and have a cup of tea.

2742. Before the election?—Oh, I have been acquainted with Lewis this good many years.

2743. And whenever you have gone there, you have got a cup of tea, or a bit of bread and cheese?—Not always; sometimes.

Re-examined by Mr. *Cooke.*

2744. Did you not make a statement to this gentleman, Mr. Williams, about Mr. Lewis?—I do not know what statement I made; I do not recollect what I said to the gentleman, and if anybody asked me about the five shillings, I never denied I received five shillings, but I never told what it was for, or who it was given by.

[The Witness withdrew.

Mr. *Cooke* stated that upon this evidence he could not sustain his objection to this vote.

Vote good.

ON THE VOTE OF FRANCIS YERBURY.

Mr. *Cooke* proposed to add this vote to the votes given for the petitioner on the ground that it had been tendered at the election, and improperly rejected by the returning officer.

Mr. *Francis Yerbury* was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *F. Yerbury.*

16 July 1857.

2745. WHAT are you?—A gentleman; I am independent.

2746. Where do you reside in Bath?—At No. 4, Larkhall-place.

2747. How long have you resided there?—Between two and three years.

2748. Is the house of more value than ten pounds a year rent?—Yes.

2749. Is there any place known to you as Larkhall-buildings?—Yes.

2750. Where is that?—It is opposite; it is close by, within fifty yards of Larkhall-place, on the opposite side of the road.

2751. One side is Larkhall-place, and the other Larkhall-buildings?—Yes.

2752. You yourself have been there two or three years, you say?—Rather more than two years; between two and three years.

2753. And have you been rated, and have you paid your rates?—Yes.

2754. Is there any Francis Yerbury, to your knowledge, living at No. 4, Larkhall-buildings?—Not that I am aware of.

2755. Do you know who does live there?—I do not know anything of the buildings; I believe they are principally occupied by persons in business, butchers and other shopkeepers.

2756. Did you attend the poll at the last election to vote?—No, I did not; I was merely solicited to vote; I did not go.

2757. Did you on the day of the polling go to the poll?—No, I did not.

2758. You did not tender your vote?—I went to a committee-room; I attended this committee-room to tender my vote.

2759. Where they were voting?—Yes, where the votes were entered in a committee-room.

2760. It was in a house, was it?—Yes.

2761. They had hired houses, had they?—Yes.

2762. It was not a committee-room, but a polling-room?—I did attend a polling-room.

2763. What happened upon your going to the polling-room; did you find the poll-clerks there?—Yes.

2764. Did you find Mr. English there?—Yes.

2765. He was the presiding person, was he not?—Yes; a legal gentleman; a solicitor.

2766. What happened upon your going to the polling-place?—There was a tender, and an objection was taken to my vote, because my place of residence was described as Larkhall-buildings, instead of Larkhall-place; that was the objection that was raised with reference to my vote; it was merely a technical objection.

2767. A technical objection was taken that you were described as of Larkhall-buildings, whereas you lived at Larkhall-place?—Yes.

2768. Did you tender your vote for Mr. Way?—I did.

2769. Did the deputy-mayor put this objection to you?—I suggested that a technical objection was made, and he said it was merely a technical objection, and that my vote was perfectly good, he thought.

2770. Did he ask you if you were the same person?—He has known me for many years; I dare say 15 years or more.

2771 *Committee.*] Was the deputy-mayor Mr. English; who was the deputy-mayor you refer to?—I do not know.

2772. Mr. *Cooke.*] Mr. English was presiding there?—Yes.

2773. Did you tell him you tendered your vote for Mr. Way?—I did, and I appealed to Mr. English at the time with reference to the objection that was made to me as regarded my vote; I asked him whether he considered that that would render my vote of no effect; and he said, "Oh, it is merely a technical objection; your vote is as good as mine."

Mr. *F. Yerbury.*

16 July 1857.

2774. Were you asked for whom you voted?—Certainly.

2775. And you said Mr. Way?—I said Mr. Way.

2776. Is there any other Francis Yerbury, to your knowledge, living there?—Certainly not.

Cross-examined by Mr. *Phinn.*

2777. You have known Larkhall-buildings ever since you have known Larkhall-place, have you not?—After I became accustomed to the neighbourhood, not otherwise.

2778. They are two distinct places, are they not?—They are so.

2779. What is the distance between them?—From No. 1, Larkhall-place, to No. 1, Larkhall-buildings, it is only the width of the road.

2780. Are they on opposite sides of the road?—Yes.

2781. You were aware when you went to the polling-booth, were you not, that there was some objection to your name; you went prepared for some objection?—Merely as regards the wrong address, because I observed when they made an application to me for my vote, "You have given me a wrong address;" I observed that at the time, and they said that that would all be made right.

2782. Did you go to the poll with the expectation that an objection would be made to your vote?—No, I did not, until it was observed to me in the room; it struck me forcibly then; when the objection was made in the room as regards the wrong address, I fancied that it had nothing to do with the legality of my vote.

2783. Were you not aware before the day you went up to poll that there was some technical objection to your name?—No, not as to my name.

2784. As to the address; as to your vote?—As to the address; it was merely as regards "buildings," instead of "place."

2785. Were you aware of that the day before the election?—I really am not positive as to that fact; I think it is very likely that I might have heard it, but I did not pay due attention to it probably.

2786. When you went to the polling-booth, were you not asked the question formally, "Are you the same person whose name appears on the register;" do you recollect that question being asked?—Yes.

2787. What did you say?—I said, "My name is Yerbury, of No. 4, Larkhall-place, and it is put 'buildings,' instead of 'place;' you have made a mistake with regard to my address; I am the identical person you mean."

2788. *Committee.*] Are those the words you used?—Something to that effect; I cannot tell the exact words I used.

2789. Mr. *Phinn.*] I want to know whether the question was not formally put to you, "Are you the person whose name appears on the register;" can you recollect whether that question was put to you by the deputy-mayor?—I cannot remember it, not as regards my name; merely as regards the address.

2790. Did he not take a book, and read from it a question to you?—There was one gentleman—I think his name was Mr. Crowdy—who made a technical objection to my vote in the room at the time I tendered it.

2791. Do you remember the deputy-mayor saying to you, "Are you the person whose name appears as Francis Yerbury on the register?"—I do not think he asked me that question, because he knew me for years, and knew I was the identical person.

2792. But he is required to do it by the Act of Parliament; and I want to know whether he asked you that question?—I think I did; I believe so; and I told him, "Yes," in reply. I believe that was the case; I think he did say so.

2793. Are you sure?—I cannot undertake to remember; but I believe that he did, to the best of my belief, ask me what was essentially necessary; and if he asked me that question, I replied I was the identical person.

[The Witness withdrew.

Mr. *Phinn* stated, that upon the evidence he would consent to this vote being added to the poll, as a vote given for the petitioner.

Vote added.

ON THE VOTE OF HENRY ELEAZAR ROBINSON.

Mr. *Cooke* proposed to add this vote to the number of votes given for Mr. Way, on the ground that it had been tendered at the election, and improperly rejected.

Henry Eleazar Robinson was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows: *H. E. Robinson.* 16 July 1857.

2794. I BELIEVE you are a minister?—Yes; of the Independent denomination.

2795. Residing at Bath?—No. I have not been able to have a congregation for some years; I am worn out.

2796. About what age are you?—Seventy-three, within two months.

2797. Have you resided at No. 5, Hanover-place, Bath?—Two years, and slept there the whole time, excepting two nights.

2798. Do you remember on the 27th of March the election at Bath, and your going to the poll?—I do.

2799. What time in the day did you go up to poll?—That I cannot say exactly. I cannot say the exact time, but I should suppose it was about ten o'clock; it was early in the morning.

2800. Was it a house or a booth?—A booth; at least, a house; it was made for a polling-place.

2801. Please to tell us what happened upon your going to the polling-place; was there a separated place for the electors to go into?—Yes, like a bar.

2802. Will you be kind enough to tell me what happened on your going inside the bar?—I tendered for my vote, and wrote the names of the gentlemen for whom I wished to vote on a card; they rejected the card. My memory, in consequence of a blow that I had on my head many years ago, is not so good now as it should be, so I wrote the names on a card, which I handed in, and they rejected that card in a very rude manner.

2803. Had you written on that card the names of Sir Arthur Elton and Mr. Way?—Yes.

2804. They asked you your name, I suppose?—Yes; and then they objected to my vote because they said my name was only Henry Robinson. I thought I knew my name as well as they did, and I told them that my name was Henry Eleazar Robinson, and then they objected to take that name, because they had put it on the parish books Henry.

2805. You had been rated in the name of Henry Robinson only?—I do not know; I paid the rates.

2806. But your name is Henry Eleazar, which names you gave at the time you were in the booth; is that so?—Yes.

2807. They raised the objection that you appeared to be only Henry on the book?—Yes

2808. And then, I understand you to say, they rudely repulsed you?—Very rudely; I never was treated more rudely in my life; and that excited my indignation, very naturally, I think.

2809. Tell us what you said?—They asked me what I was; I said (for they had been very rude, and I am not very kind when I am insulted without provocation)—I said that that was a point which was not yet quite decided; I was a dissenting minister. I was by many called Henry Eleazar Robinson; my stockbroker wrote to me as esquire; sometimes I was plain Mr. Robinson, and they might take it which way they liked.

2810. Did they ask you for whom you voted, or for whom you tendered your vote?—They did.

2811. Did you mention Sir Arthur Elton and Mr. Way?—I did.

2812. *Committee.*] Did you speak the names "Way and Elton"?—Yes; I spoke their names; and I not only spoke their names, but, that I might not make a mistake, I read the names from a card. You will excuse me, being an old man, if I explain how it was. Some years ago I received a violent blow on my head, which injured my memory a good deal. I am now getting old, and, in order that I might not make a mistake, I held the card in my hand, and told them who I voted for.

2813. Did you read the names from the card?—I did.

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2814. Mr. *Cooke.*] Did you suppose when you left the booth that your vote had been entered regularly?—When I left the booth they made some objection about this Henry Eleazar Robinson, and I went home and fetched some documents to show them that I was baptized in the name of Henry Eleazar Robinson, and that I had always passed by that name, and not by any other. I had there my baptismal register, and the register of my marriage, and so on.

2815. Did you come back with these documents?—Yes, but not to vote, because I considered that my vote had either been recorded, or rejected before.

2816. You came back to satisfy them that you were truly Henry Eleazar, and not Henry Robinson?—Yes.

Cross-examined by Mr. *Clerk*.

2817. You say your memory is rather bad at times?—Only as to names; names are very difficult things to remember.

2818. You remember facts very well, but not names?—Not names.

2819. Who was the deputy for the mayor at that booth?—That I cannot tell.

2820. Did you not know the gentleman?—No; I do not know half-a-dozen people in Bath, though I have lived there two years.

2821. You do not know Mr. English?—Not at all.

2822. When you came into the booth, I believe you presented your card, or a paper?—I did.

2823. Was it a card, or a written paper?—A card.

2824. Have you got it with you?—I will just show you what it is like, because I thought such a circumstance might take place to-day; and I have written a number of cards with my name upon them, so that if there was any statement about them, there might be no mistake. These are my cards (*producing several cards, on which were written, "Henry Eleazar Robinson"*), which I have written for the Committee, for I do not like to make mistakes, if I can help it.

2825. Did you go with your cards written in that way to the booth?—Only with one.

2826. Was it a card like this?—Yes.

2827. Was there anything else written upon your card besides that?—Yes, the names of the two persons.

2828. They were written on a card of this size?—Yes.

2829. What names had you written upon that card?—Elton and Way.

2830. When you came into the booth in the morning, did you hold out the card, and say, "That is how I mean to vote"?—I did; and put it into their hands, and they rejected it.

2831. They said, "We cannot take that"?—Yes.

2832. That was the returning officer, the gentleman who was standing up there?—I do not know whether he was a gentleman or not; he was a very rude fellow; he might be called a gentleman perhaps, but he was not a gentleman according to those I have been in the habit of associating with.

2833. He rejected it?—Yes; he insolently rejected it.

2834. *Committee.*] He did not send you a card afterwards, did he?—No; and if he had, it would have been of very little use.

2835. Mr. *Clerk.*] Is this your visiting card?—No; that card was written on purpose to bring here.

2836. There is no "esquire" or "reverend," or anything of that sort upon it?—No; simply my name.

2837. After the returning officer had said that he could not take that, were you not asked whether you were the same person whose name appeared as Henry Robinson in the register?—That I cannot say; not exactly in those words.

2838. Tell me as nearly as you can what question you were asked?—As nearly as I can remember, when I tendered my name as Henry Eleazar Robinson, they said that my name was only down as Henry. I said it was very mysterious that the people who put it down should know my name better than I knew it myself.

2839. Did they not ask you whether you were the same person whose name appeared as Henry Robinson?—I do not know whether they put it in those words. Substantially they said they would not take my vote; they made it a doubtful vote, because they had got my name, without asking me about it, upon the parish books as Henry Robinson, and I had paid my rates.

2840. They

2840. They were very rude, you say, in their way of asking you the question?—Exceedingly rude; and, as you may perceive, I am very irritable.

2841. Pray do not suppose that I have any wish to make you irritable?—I should hope not.

2842. They said to you in a very rude manner, "Are you Mr. Henry Robinson?"—Yes; and then they objected to my vote.

2843. When they said to you in a very rude manner, "Are you Mr. Henry Robinson?" did you not say, "I do not choose to answer any questions"?—No; not a word of the kind.

2844. What did you say?—I said that my name was Henry Eleazar Robinson, and that I was not going to allow anybody else to give me a new name; that I was always known by that name, and that all my concerns in stock, and all the concerns I had ever had in my life, were in that name.

2845. Was it then that you went on to say that some people called you "esquire," and some "Mr.," and that it was not very well settled what you were?—I did.

2846. Did not the returning officer say to you, "Sir, are you the person described in the register as Henry Robinson"?—No; distinctly he did not say so; he rejected my vote because they had chosen to put my name down Henry, when my real name was Henry Eleazar.

2847. Do you mean to swear that the returning officer did not say to you, "Are you the person described in the register as Henry Robinson?" and did you not say, "I shall not answer the question," and go away?—No.

2848. Do you swear that?—I do most distinctly swear it. I then went home, and fetched my documents to prove that my name was Henry Eleazar.

2849. Do you remember coming back to the poll-booth in the afternoon with your documents?—No, not in the afternoon; I went back directly, and fetched them, to show that what I said was true; I did not choose to be accused of telling a lie.

2850. When you came back with your documents, do you remember saying, "Mind, I vote for Way"?—I remember saying I voted for Way.

2851. When you came with your documents, did you come to the door of the room, and say, "Mind, I vote for Way"?—No; I said that the second time I came.

2852. Did you come a third time?—Yes.

2853. The second time you came, you said, "Mind, I vote for Way"?—Yes.

2854. Had you any documents with you?—I went and fetched them after I had given my vote, as I considered, for Mr. Way; I went and fetched my documents to show them what my name really was.

2855. You say you said the second time you went, "Mind, I vote for Way"?—Yes.

2856. When was that?—The second time; when I told them that my name was Henry Eleazar Robinson, and what I was, and so on. Perhaps I may not be very clear in what I am saying; I may not have stated it so plainly that you may receive it, but I know what I am saying; although this is the first time I have been concerned with an election, and I would not have been bothered as I have been for fifty pounds if I could have helped it; I have been before gentlemen of the long robe before, and I am not to be intimidated.

2857. You can always keep your own, and I have no doubt that in the poll-booth you addressed them with very great eloquence?—I addressed them with feelings of indignation, showing that I considered myself an injured man.

2858. And they returned your card to you?—That was the first time.

2859. That was the first insult that you received?—The returning the card was not the insult; the insult was in the manner in which it was done; because I may say a thing to you that may be very respectful, but another person may go and say that I did it disrespectfully.

2860. Did you say, before you left the poll-both the first time, "Mind, I vote for Way"?—I put it on paper.

2861. You gave two names on one paper, or on one card, which card was rejected?—Yes.

2862. After that card was rejected, did you say, "Mind, I vote for Way"?—I read it from another card that I held in my hand.

2863. "Mind, I vote for Way"?—Yes; let me state the whole truth, if you please. I said, "I vote for Elton and Way."

2864. Was that before you went for your documents?—Yes.

 2865. When

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2865. When you said that, did the returning officer say, "That is no tender"?—No.

2866. You did not hear that?—No.

2867. Tell us what passed when you came back to the poll-booth with your documents?—Can I tell you more than I have told you already? I have told you three times that I went and told them that my name was Henry Eleazar Robinson.

2868. Did you tell them that when you came back with your documents?—No; I brought the documents the third time to prove that I had not told a lie; I never was at an election before. You will bear in mind one thing, that, as a minister, I could not bear to have it supposed that I was capable of telling a lie.

2869. Tell us what took place?—I will not tell you any more about it. If I were to swear, and answer you till twelve o'clock at night, I could say no more than I have said. All I have told you is the truth, and the only excuse I can make for having been a little irritated is, that, as a minister of the Gospel, I have not been used to be treated with insult.

2870. *Committee.*] Does that gentleman (Mr. Clerk) treat you as they treated you in the booth?—They treated me in that manner.

2871. Did they treat you as badly as that gentleman (Mr. Clerk) does?—Well, much about the same. I know the meaning of the word "gentleman."

Re-examined by Mr. *Cooke.*

2872. Do I understand you to say, that when you first went into the booth, you put a card down with the names of Sir Arthur Elton and Mr. Way upon it?—Yes; that is correct.

2873. Was it upon that occasion that you read out the names that you voted for Elton and Way?—Yes.

2874. At the first visit?—At the first visit.

2875. Do I understand you to say, that, feeling annoyed at their doubting your name, you went back for these documents, to convince them that you had two christian names, and not one only?—I had another interview with the gentlemen.

2876. After you had read out the names, and said that you voted for Elton and Way, did you leave the booth?—I left the booth.

2877. About how long was it, as nearly as you can charge your memory, before you returned the second time?—Just as I got outside the door of the house; I was indignant; you see yourself that I am rather a warm subject; I made an observation to one of my friends as to the way in which I had been treated; and he said, "You had better go back and vote;" and I went back, and they received it, except with that observation.

2878. As nearly as you can charge your memory, tell us what passed?—They asked me what I was; I told them that I was sometimes called ——

2879. What you told us before?—Yes; what I told you before.

2880. When you made that answer to them, was it then that you said you voted for Way and Elton?—Yes.

2881. Then I understand you to say, that after you had said you were sometimes called "esquire," sometimes a clergyman, and sometimes "Mr.," you then repeated that you voted for Way and Elton?—I did.

2882. Then it was later in the day that you took the documents to satisfy them?—I went directly home, and fetched them, because I did not like to be accused of anything.

[The Witness withdrew.

Mr *A. H. English.*

Mr. *Alban Huddleston English* was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

2883. I BELIEVE you are a solicitor, in Bath?—I am.

2884. Were you appointed by the mayor to be one of the deputies at booth No. 6, Walcot?—I was.

2885. Was that held in a dwelling-house at No. 17, Walcot-buildings?—Yes.

2886. Do you remember the old gentleman, Mr. Robinson, coming up to vote?—Very well.

2887. On his coming into the booth I believe he put a card in, did he?—He did.

2888. With

2888. With the name of some of the candidates upon it?—I think the name of one.

2889. You refused to receive his vote, of course, in writing?—I did.

2890. Did any point occur with regard to his name?—Yes; he had two or three Christian names, and there was only one on the register.

2891. That, I believe, gave rise to some discussion, did it not?—A great deal of discussion.

2892. He persisting that he was right in having more Christian names than one, and you pointing to the name appearing on the register?—Yes.

2893. I see that for his trade or profession his name is left blank?—Yes; I could not get a rational answer; he said he was sometimes called a gentleman, sometimes a man, sometimes one thing and sometimes another.

2894. Sometimes a clergyman?—That he did not add.

2895. Did he repeat any names; he came up, we are told, and I see his name is entered in this place; after you had given him back the card what occurred?—I told him he must say orally who he voted for, and he said, "Cannot you read that?" "That will not do, sir;" and then he snatched up the card, and swore, and said, "I do not care a damn who I vote for," and he bounced out of the room; he retired, and I saw no more of him for I suppose an hour, and then he came back again.

2896. When he came back a second time, what occurred?—He brought with him his baptismal certificate, the register of his baptism; he brought some papers, several of his papers, to prove that his names were the names he had used. I said, "We really do not care about that." He said, "Then what is to be done?" I said, "Well, I should advise you to tender your vote; I should have no objection to take your vote as a tendered vote."

2897. Then did he tender it for Elton and Way?—He tendered it for Way, as well as I remember.

2898. Just look at the entry (*the poll-book was shown to the Witness, and the entry of the tender was pointed out*)?—I did not hear "Elton;" I only heard "Way."

2899. You took him as a tendered vote?—Yes, for Mr. Way.

2900. Did you take him as only a tendered vote because the Christian name appearing on the register was different from his own?—Just so.

2901. You did not feel satisfied he was the right person; was that it?—I felt perfectly satisfied, from many people in the room knowing him, that he was the right person.

2902. May I ask why you did not add him to the poll then?—Because he would not admit it himself; he would not relinquish any of his names; he was very tenacious about it.

Examined by the *Committee.*

2903. Did you examine the card which he tendered to you?—I am not quite certain.

2904. Because you have stated that there was only one name upon it?—As far as my memory goes.

2905. That you are not positive upon that point?—No, not quite.

2906. Was it tendered to you or to the poll-clerk?—I think it was thrown on the table to me.

Cross-examined by Mr. *Karslake.*

2907. You had not known Robinson before, had you?—Never.

2908. Was Mr. Kerby the poll-clerk who was there?—He was check-clerk.

2909. Just tell us what this gentleman did when first he came into the booth; was the first thing he did to throw down the card before you?—No; I first said, "What is your name?" He said, "Robinson." We then looked to the register, and I saw one Christian name. He said, "My name is John Ebenezer," (or some other name). I said, "Well, it does not appear so on the register; you appear only to have one name here; are you the same person." He repeated again that he had two names, and said he did not see why he should not use two names, and he made a rambling speech, which lasted, I dare say, 10 minutes; the old man was very much excited; I dare say the discussion might have run on for 10 minutes; then I said at the end of it, "It is quite clear that you are the

Mr. *A. H. English.*

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person, though not so described on the books; for whom do you vote?" I was then willing to take his vote as a tendered vote; and he said, "There is the card." I said, "That will not do, you must pronounce who you vote for;" and then he picked it up.

2910. And walked off?—Yes, very bumptiously.

2911. Did you treat him with any rudeness?—Not the slightest; on the contrary, I treated him with extraordinary forbearance.

2912. When he picked up his card and went away, what did he say?—"I do not care a damn who I vote for."

2913. Is your recollection strong that it was "Way" only on the card?—I will not be certain about it.

2914. Did you look at the card?—I fancy I did; I am perfectly sure that "Way" was there.

2915. At all events, you told him he must orally pronounce that he gave his vote for somebody?—Yes.

2916. Did you ask him upon that occasion, "Are you the person described on the register as Henry Robinson?" did you put that question to him?—I think I did.

2917. Did he answer it?—Not directly; he kept repeating that he had two names.

2918. Do you remember his using the expression, "What the devil odds is it to you," or something of that sort?—No, I do not remember that; he said he was sometimes called a gentleman, and sometimes one thing and sometimes another.

2919. You say you did put the question to him, and that he would not answer it?—I think I did, as well as my memory serves me.

2920. How long after he had left on the first occasion was it before he came back again?—I should think about an hour.

2921. What was his manner then?—He wanted me to read a handful of papers that he had with him, showing that his proper names were those he had given, which I refused to do.

2922. Did you then ask him the question again which you were directed to ask him?—No; I said, "I should advise you to tender your vote; I shall receive it as a tendered vote; I am satisfied that you are the party intended." I advised him to do it, as he seemed very anxious to vote.

2923. Did he put in any card then?—No.

2924. What did he say?—"Mr. Way."

2925. Was that all?—As far as I remember, he only said "Mr. Way."

2926. Do you remember whether at that time he put his head inside the door, and said, "Mind, I vote for Way"?—No, he stood before me.

2927. Do you not recollect saying, "That is no tender"?—No.

2928. Mr. Kirby was present at the time, was he not?—Yes.

2929. And Mr. Billington also?—Yes.

2930. Do you remember having said, "That is not a tender"?—No; I could not have said so, because I said, "Who do you vote for?" and he said, "Mr. Way."

2931. How came you, then, not to enter it as a tender only for Way?—I did not do it; that was the poll-clerk.

2932. *Committee.*] That was in answer to your question, "For whom do you vote"?—Yes.

2933. Mr. *Karslake.*] His manner struck you as extraordinary, did it not?—He seemed to me to be an eccentric old gentleman.

2934. You thought him something more than eccentric, did you not?—I put a marginal note on the paper which was before me, when he swore.

2935. You thought him something more than eccentric, from his manner, did you not?—No, I did not.

2936. How long was he at the booth on the second occasion?—I dare say he was there five minutes.

2937. In the same excited state?—No, not quite so excited.

[The Witness withdrew.

Mr. *Karslake* was heard on the part of the Sitting Member to open the evidence he proposed to give in support of this vote.

Mr. *William Slade Kirby* was called in; and, having been sworn, he was Examined by Mr. *Karslake*, as follows:

Mr. *W. S. Kirby.*

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2938. I BELIEVE you were employed at the last election as a check-clerk for Mr. Tite?—Yes.

2939. Were you at the booth at which Mr. English presided as deputy returning officer?—Yes.

2940. Do you remember, on the day of the polling, Robinson coming to the booth?—Yes.

2941. Just tell us what passed when he came in the morning?—He came to the booth and tendered a paper, which was refused by the returning officer.

2942. Did you see the paper?—Yes.

2943. What was on the paper?—I do not know; I have been told since; but that has nothing to do with it.

2944. Just tell us exactly what passed?—He tendered his paper, which was refused by the returning officer, who intimated to him that he must answer the questions, "Are you Henry Robinson of So-and-so?"

2945. What did Robinson say to that?—He refused to answer it.

2946. What did he say?—He said, "This is the way I vote; take this."

2947. *Committee.*] What was the question that the returning officer asked him; did he read it from a paper?—The returning officer said, "Sir, you must answer the questions; are you Henry Robinson, of No. 5, Hanover-place?"

2948. Are those the words that he used?—Yes.

2949. Mr. *Karslake.*] Did he read it from a paper?—Yes; he read it from his instructions.

2950. Was that to ask the question that is to be put to voters?—Yes.

2951. Did you hear the question asked?—Yes.

2952. What did Robinson say to that?—He refused to answer it.

2953. Did you then hear him make any harangue about his name?—Yes.

2954. And profession?—Yes.

2955. Did he tender his vote at that time?—No.

2956. Did he then go away?—Yes.

2957. And did you see him come back in the afternoon again?—He came some time after.

2958. What did he do then?—He came back and just pushed his head inside the polling-booth door in a very wild and excited state, put his hands up like this (*describing the action*), and said, "Mind, I vote for Way." That was not seen by the returning officer, or other parties, with the exception of myself, I should say, in the position the returning officer was sitting.

2959. What he said was, "Mind, I vote for Way"?—He just pushed his head inside the door; that was the only part of his body that I saw. Where I was sitting I could see more than the returning officer.

2960. You saw him come in and heard him say, "Mind, I vote for Way"?—He pushed his head in and said that.

2961. Was this when he came with his papers?—He came with his papers on the third occasion.

2962. What did he do then?—He wanted to enter into the whole of his pedigree with the returning officer as to his baptismal register, and so forth.

2963. What passed between him and the returning officer?—A little chit-chat as regarded his pedigree, and so forth; he did not tender his vote.

2964. Were you watching him at the time?—Certainly.

2965. You were there for the purpose, were you not?—I was there for the purpose; I did not know the man.

2966. Did his manner attract your attention?—Yes.

2967. That was the third time he appeared in the course of the day?—Yes.

2968. He did not tender his vote, you say?—No.

2969. How long did he remain there before he went away again?—Not long; he had a bundle of papers in his hands.

2970. Did you watch him all the time he was there with a view to ascertain whether his vote was tendered or not?—Certainly; it was my duty.

2971. After he was gone, did you and the poll-clerk have some conversation together?—Yes, and the returning officer; the poll-clerk was sitting between.

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2972. How long was that after he had left?—Just as he was in the act of leaving.

2973. Was it after that conversation that he was marked as a tendered vote?—Yes; out of courtesy we said, being an old man, his vote should be tendered.

2974. When was that?—As he left the room.

2975. Tell us who said that?—The returning officer, Mr. English.

2976. Was it then that the poll-clerk marked him down as tendered?—Yes.

2977. *Committee.*] Did you mark him down as tendered?—No; because I objected to him.

2978. Mr. *Karslake.*] Did he tender his vote?—No.

2979. During the time he was there?—No; at no part of the day.

2980. You were there the whole time?—The whole time.

Cross-examined by Mr. *Cooke.*

2981. What did you get for your day's work as check-clerk?—Ten shillings.

2982. Who was the poll-clerk?—The mayor's poll-clerk?

2983. Yes.—Benjamin Sparrow.

2984. Is he a person who lives in Bath?—Yes.

2985. What is he?—A lawyer's clerk.

2986. Is he in Bath now?—I do not know.

2987. When did you see him last?—A week ago.

2988. Do you remember Mr. English saying to the old gentleman, "Now, Mr. Robinson, I know you are the same person, and I advise you now to tender your vote?—I recollect something of that kind.

2989. Was that the third time he came, the second time, or when?—When the question was put by Mr. English, "Are you the person?" he refused to answer.

2990. When he came the second time, did not Mr. English say, "I find you are the person, and I am willing to accept your vote as a tender"?—No.

2991. He did not say so?—No.

2992. That you are clear about?—I am certain of it.

Examined by the *Committee.*

2993. How far were you from the returning officer?—Two yards.

2994. Could you hear every word?—Every word.

2995. You are quite sure that Mr. English did not say, "I have no doubt you are the same person, and I will take your vote as a tendered vote"?—I am quite sure that on the second occasion he did not.

2996. On the third occasion did you hear Mr. English say, "I have no doubt you are the same person, Mr. Robinson, and I will take your vote as a tendered vote"?—No; it was after the consultation, as he was leaving the room, that he said that.

2997. Did you hear it or not?—I did not.

2998. Did you hear Mr. English say to him, "For whom do you vote?" and did you hear Mr. Robinson reply?—He never answered the question.

2999. Was the question asked?—The question was put the first time, but on no other occasion.

3000. That you will swear?—Yes.

3001. Did not Mr. English say, "I am satisfied;" or was that only his own thought?—Yes.

3002. Did he not say to him, "I advise you to tender your vote"?—Certainly not, to my recollection; I was there present, as close as I am to you.

3003. You never asked Mr. English whether he said that?—No.

3004. Were there other parties in the booth; any other voters near?—No; there might be one or two other persons there; but, if my memory serves me, there were not three persons in the room at the time.

[The Witness withdrew.

[Adjourned to To-morrow, at Eleven o'clock.

Veneris, 17° *die Julii*, 1857.

Charles Billington was called in; and, having been sworn, was Examined by by Mr. *Clerk*, as follows:

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3005. AT the last election at Bath were you employed as a check-clerk?—Yes.

3006. In what booth?—Number 6.

3007. Number 6 Walcot, was it?—Yes.

3008. Were you there the whole day?—Yes.

3009. *Committee.*] Who were you check-clerk for?—For Messrs. Elton and Tite.

3010. Were you for Elton?—For both.

3011 Mr. *Clerk.*] You were there the whole day, you say?—Yes.

3012. Do you remember a person of the name of Robinson coming to vote?—Yes.

3013. Just tell us yourself what passed when Mr. Robinson came in to vote?—He threw a paper down.

3014. Yes.—Upon the table in front of the poll-clerk.

3015. *Committee.*] Threw it down?—Yes.

3016. On the table in front of the poll-clerk?—In front of the poll-clerk.

3017. Mr. *Clerk.*] What was done with that paper?—It was left there; not accepted.

3018. Was it refused by any one?—The poll-clerk refused to take it.

3019. When the poll-clerk refused to take it, what passed afterwards; tell us what happened, in your own language?—Mr. Robinson got in a great rage, took up his hat, and walked off.

3020. Had he any conversation with the returning officer before he went out?—Yes.

3021. What was it about; tell us what it was?—The returning officer told him that he could not accept his vote unless he stated with his own lips for whom he intended to vote, and who he was; that the paper could not be accepted.

3022. What did Mr. Robinson say to that?—He made no reply to that.

3023. Did you hear any further discussion with Mr. English in the booth?—With whom?

3024. With Mr. Robinson.—No; not at that time.

3025. Do you remember whether the register was refe red to?—No.

3026. You do not recollect?—It was not.

3027. What time in the day was that?—[*No answer.*]

3028. *Committee.*] He says Mr. Robinson got into a great rage, took up his hat, and walked out; do we understand he said nothing?—I believe not.

3029. He got into a great rage, and did not say a word?—He got into a rage because the paper was not accepted, took up his hat, and walked away.

3030. He did not say anything?—He did say something, that he would be damned if he would vote at all; but I did not hear that.

3031. How near to him were you?—As near perhaps as I am to you.

3032. Then cannot you say decidedly whether he said it or not?—I did not hear it; that is all I can say upon that point.

3033. Did you hear any question as to his two names, or anything of that kind?—I did on another occasion; I am not prepared to say that those gentlemen who say he made use of that improper language have told an untruth; all I can say is, that I did not hear it.

3034. You did not hear him say he did not care a damn who he voted for?—I am not prepared to say it is an untruth.

3035. Did you not hear any question put to him with reference to the register upon the first occasion?—Not upon the first occasion.

3036. Are you sure of that?—Quite sure.

3037. You did not hear him say he was in the habit of being addressed as esquire or reverend?—No.

3038. Mr. *Clerk.*] How long did you see him in the booth on the first occasion that he came?—It might have been six minutes; I cannot say to a certainty.

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3039. He was six minutes in the booth, you say?—About that time, I should imagine.

3040. *Committee.*] And said nothing?—I have just told you I do not remember that expression.

3041. You cannot swear to his saying anything?—No.

3042. Mr. *Clerk.*] Did he come back again?—Yes.

3043. How soon after he went away did you see him again?—I should think about 10 minutes; when I say he came back, he did not come up to the table, but merely stood at the threshold of the door.

3044. *Committee.*] Ten minutes afterwards?—About that.

3045. Mr. *Clerk.*] He came to the threshold of the door in about ten minutes?—Yes.

3046. When he came to the threshold of the door, what did he do or say?—He held up his hand and said, "Mind, I vote for Way."

3047. What became of him when he had said that?—He went out again.

3048. Did you see him again after that?—Yes.

3049. How long after?—Some time afterwards.

3050. What passed when he came upon that occasion?—He brought a lot of papers.

3051. Well, what did he do?—He advanced up to the poll-clerk with his papers, and he was told by Mr. English, by Mr. Kerby, and, I believe, by Mr. Sparrow, that he must say with his own lips who he was and for whom he voted; that no papers could be accepted.

3052. Was it at that time that reference was made to the register?—

Mr. *Cooke* objected to the question.

The question was waived.

3053. Tell us what passed, as far as you recollect; what took place when he advanced up to the table and was told that if he voted he must give the names of the persons for whom he voted?—He went into a long discussion respecting his name. I believe he has a Christian name, "Eleazar," and he was questioned by the poll-clerk if Eleazar was his surname or his Christian name.

3054. *Committee.*] Is that your answer?—That is part of the statement I am giving to that gentleman.

3055. Mr. *Cooke.*] You say there was a long discussion about his name?—Yes.

3056. *Committee.*] Did he say a long discussion or a long description?—A long description. He began to relate what trouble the name of Eleazar had caused him; and when he was asked what he was called, he said, "Sometimes I am called a parson, sometimes I am called a gentleman, and sometimes I am called a man; you may call me what you please;" and out he went in a very indignant manner, as though he was very much ill-used.

3057. "Sometimes I am called a person, sometimes a gentleman, and sometimes a man;" what else do you say he said?—"You may call me what you like."

3058. Mr. *Clerk.*] Well?—He went out then.

3059. How long was he there talking about his name?—Well, he might have been the best part, I should say, of five or six minutes; about as long as before; between that, perhaps, and ten minutes. It took some time.

3060. Did he upon that occasion tender his vote for any person?—No.

3061. Are you certain of that?—I am.

3062. Do you swear it?—I do.

3063. Have you your check-book with you?—I have not.

3064. *Committee.*] This is the third time that you are speaking of now?—Yes.

3065. Mr. *Clerk.*] Did you make any entry of a tender by this man?—No, I did not.

3066. After he went away, did you hear any conversation between Mr. English and Mr. Kerby, or any one else, with regard to his vote?—I did.

3067. What was that?—I do not remember precisely; but the purport and substance of it was this, whether his vote should be accepted as a tendered vote for Mr. Way; and the result was, contrary to the prostestaion of Mr. Kerby, that it was accepted as a tendered vote for Mr. Way.

3068. After he had gone away?—While he was going, and after he had gone away.

3069. *Committee.*]

3069. *Committee.*] Who was Mr. Kerby?—My fellow clerk.

3070. Contrary to his protest it was accepted as a tendered vote?—Yes; Mr. Kerby, of course, gave way to Mr. English, being the deputy returning officer.

3071. Mr. *Clerk.*] It was entered in the poll-book as a tender for Elton and Way?—As a tendered vote for Elton and Way?

3072. Yes.—For Mr. Way only, I knew.

3073. Who were you acting for that day; who were you representing?—My papers authorised me to go in the name of Mr. Elton.

3074. Did you attend to Mr. Tite's votes also?—I entered every vote. I considered myself as being check-clerk to both candidates.

3075. Both to Elton and Tite?—Yes, every recorded vote I entered.

3076. But you were nominated for Sir Arthur Elton?—Yes.

3077. I understand you did not record the vote at all?—No.

Cross-examined by Mr. *Cooke.*

3078. Mr. Sparrow was the mayor's poll-clerk, was he not?—Yes.

3079. Have you seen him outside this committee-room?—Yes.

3080. To-day?—Yes.

3081. You did not see him yesterday?—Yes; I think he arrived last night, or this morning early.

3082. What are you on an ordinary occasion?—I am a cellerman, and occasionally serve in the shop.

3083. What is his name?—George Edwards.

3084. Do you remember the fact of Mr. Robinson's name, or his registered number, being looked for on his coming into the booth?—I do not.

3085. Is that the usual way when a voter comes up to the poll?—The usual way was for him to give his number and his name.

3086. And then the poll-clerk began to enter the number in the first column, and the name in the second?—Certainly.

3087. Do you mean to swear to this Committee that that was not done on the first occasion of this old gentleman coming to the polling-booth; that they referred to the register and put down his number and his name?—I do not remember it.

3088. Will you swear it was not done; that is my question?—I will.

3089. Will you swear, the first time I am talking about, when they turned to the register and found that his name was only Henry, and he gave his name as Henry Eleazar; I am talking of the first time he came up to vote?—I told you before, and have sworn to it, they did not turn to the register the first time.

3090. I am speaking of the first time the old gentleman came up; did not Mr. English, the deputy mayor, turn to the register, and find that his name was Henry only, and not as he described himself Henry Eleazar?—I have said no to that question.

3091. Was there no dispute the first time as to whether he was the person who appeared on the register?—He was told by the poll-clerk——

3092-3. Was there no discussion when he first came into the booth as to whether he was the same person who appeared on the register?—No. Mr. English and Mr. Sparrow, the deputy returning officer and the poll-clerk, told him that the papers could not be accepted; that he must state with his own lips who he was, and for whom he voted.

3094. That is not my question; do you mean to represent to the Committee, that without saying what his name was, or who he was, they said to him, you must mention who you vote for, and not merely put the card down?—I do.

3095. Do you know the old gentleman?—No.

3096. Was he not a stranger to Mr. English and Mr. Kerby, and yourself?—I know nothing about other witnesses; for myself I can speak.

3097. Do you mean to swear, not knowing who the old gentleman was, they began to talk about his mode of voting before they ascertained who he was?—Yes.

3098. Do you mean to swear it was the last time he came up that he was asked what his profession was, and he said "I am called sometimes a parson, sometimes an esquire, and sometimes a man"?—It was the last time.

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3099. Upon your oath, when he said I am a man, did not Kerby himself say, "I should call him a regular old woman"?—I do not remember it.

3100. Will you swear he did not?—I do not remember it.

3101. Will you swear when he was asked what his profession was, and he said "I am sometimes called a clergyman, sometimes an esquire, and sometimes a man," did not Kerby say, "I should call him a regular old woman;" and upon that, did not the old gentleman turn round?—I never heard such an expression.

3102. Will you swear it did not happen?—Certainly I will.

3103. You will swear it did not occur?—It did not occur.

3104. And that that expression about his profession did not happen the first time?—No.

3105. When do you mean to swear the entry of the registered number, and the name of Henry was written down upon that book; did you see it entered by Sparrow?—It was on the third occasion.

3106. Did you see it entered?—I did.

3107. When he came and put his head over the barrier, as you describe it, and said, "Mind, I vote for Way," did you then know who he was?—No, sir.

3108. When he came the third time and this conversation took place, did you then know who he was?—Yes.

3109. Had there been a discussion in the booth, as to who he was?—I do not remember it.

3110. How came you to get that knowledge, that you did not know the first and second time, and knew the third time?—I believe the register was referred to on the third occasion.

3111. That would not tell you that this was the right person. How did you know he was the Reverend Mr. Robinson the third time?—From his own statement.

3112. That would not tell you he was the person; do you mean to swear there was not a discussion in the booth; that Mr. English was endeavouring to ascertain whether he was the Reverend Mr. Robinson before he came up the third time?—I do not remember it.

3113. Will you swear there was no conversation upon the subject in the booth?—The only conversation I remember was as to the manner in which he conducted himself.

3114. Will your swear that between the time of his going away and coming back the last time there was not a conversation with a view to ascertain whether he was the Reverend Henry Robinson?—I will.

3115. There was none?—Not of that nature.

3116. There was no conversation between the deputy mayor and the old gentleman in the booth, as to whether this old gentleman was the Henry Robinson described upon the register?—No.

3117. Do you mean to swear that?—I do.

3118. When was your attention called to these things; immediately afterwards? was there a bustle about the mode in which he had been treated upon that occasion?—Yes, there was; Mr. English felt himself somewhat insulted or aggrieved by the manner in which he had conducted himself.

3119. Then it was out of regard to Mr. English that you took notice of what happened; to protect Mr. English?—It was my duty, as Mr. Elton's agent, to take notice of things, without regard to Mr. English.

3120. Did you expect that the matter would be inquired into?—That there would be a scrutiny like the present?

3121. Did you expect that the conduct in the booth would be inquired into?—I did not.

3122. When was your attention called first to describe what you are now prepared to prove?—During the time, of course, that he was present.

3123. I mean after the polling was over; after the election had been over, and between the election and this time, when were you first called upon for your version of what happened?—I believe—I am certain, it was last Thursday night.

3124. A week ago?—Yes, a week ago. I did not think that this was Friday.

3125. Did he seem at all anxious that he should have both his Christian names; did he show any attempt to have both his Christian names put down in the book?—No; he seemed very independent about the matter; he seemed perfectly independent.

3126. He

3126. He did not care how they described him, as far as names went?—He did not care to vote, or even to give his name.

Re-examined by Mr. *Clerk*.

3127. Is Sparrow clerk to an attorney, a Mr. Towning?—I believe he is; I know he is.

3128. Is Mr. Towning an active partisan of Mr. Way's?—I believe he is.

3129. Did Sparrow vote, at the last election, for Mr. Way?—No, I do not know that he did.

Examined by the *Committee*.

3130. On the third time when he brought these papers, did he say what he brought them for?—I heard that some had reference to his baptism, but I did not ascertain for myself, by inspection, what they were.

3131. Can you explain why, if no question arose as to his name at the first interview, he should bring papers to show what his name was upon the next interview?—No, I cannot explain why.

3132. Did you hear the returning officer say, "I should advise you, Mr. Robinson, to tender your vote; I shall receive it as a tendered vote, as I am satisfied you are the party intended"?—I do not remember such an expression.

3133. Will you swear it was not said?—I will swear I do not remember it; my attention might have been directed to some other point, and I may have lost the expression; but I did not hear it said.

3134. It is very possible you may have forgotten a good deal of it, your attention being only called to it a week ago?—Probably; but I do not think I could, for there was something so remarkable and peculiar in it that I have told several friends, respecting the incidents of the polling day, these affairs; and by so doing it impressed it on my memory. There was something ridiculous in a parson conducting himself in that way; it made it more rich.

3135. Will you swear that the returning officer did not say to him, in direct terms, "Mr. Robinson, whom do you vote for?" and that he then replied, "Mr. Way"?—What?

3136. Will you swear that the returning officer did not say, "Mr. Robinson, who do you vote for?" and that he replied, "Mr. Way"?—The only time I heard him mention the name of Mr. Way was on the second occasion, when he put his head inside the door, held up his hand, and said, "Mind, I vote for Way."

3137. If the returning officer has sworn that he did say so, are you prepared to say that that gentleman is guilty of perjury?—

3138. If the returning officer has said distinctly he asked the question, and got a distinct answer, are you prepared to swear that that is not true?—No, certainly not. Mr. English is a gentleman, and conducted himself throughout the day most courteously and most gentlemanly to every one, to those engaged in the booth and likewise to the voters. I have been engaged in booths before with Mr. English.

3139. You say you remember Mr. Robinson entering the booth to vote; were there any other electors who came in with him?—I am not prepared to reply to that; there may have been one or two, but the booth may have been completely empty.

3140. Do you mean to say he threw this card down, containing his address, before any question was asked him who he was?—Yes.

3141. And you adhere to your statement that he said nothing on the first occasion, though he was six minutes in the booth; that is what your answer was?—He took his hat and went out when he was told by the poll-clerk and Mr. English that that could not be accepted.

3142. But it would not take six minutes to do that?—He stopped a long time; they both joined in the conversation, Mr. English and likewise Mr. Sparrow; it took some minutes, of course, and six minutes is a very short time to take; when I say six minutes, it is a pure matter of conjecture; I only imagine it was six minutes; if I had referred to a watch, it might have been less or more, but I should think about six minutes.

3143. That was on the first occasion?—Yes.

3144. Then there was a conversation, what was it about, between Mr. English

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and these parties?—If it can be called conversation it was this: that Mr. English told him that he could not be attended to or accepted, unless he stated with his own lips who he was, and for whom he voted; and Mr. Swallow told him the same.

3145. That would not take six minutes?—He then took his hat, and went off in a very offended manner.

3146. You never heard the question put to him, "Are you the same party"?—No.

3147. Will you swear it was not put?—Yes.

3148. Were you in a position to hear all that occurred?—Yes; I was as near to him as I am to that gentleman; there was something so peculiar that it riveted my attention.

3149. Do you mean, when he came in that time, you never heard the sound of his voice all the time he was in the booth?—No, I did not.

3150. Had Mr. English any discussion with any other voters in the course of the day; any sort of quarrel like this?—No, nothing of the kind; there was a voter who gave his evidence, and there was a misstatement in the register as to his place of abode, which led to a conversation, but nothing in the nature of a quarrel.

3151. Nothing like this?—No; nothing of the kind.

3152. You are sure Mr. English behaved courteously and with consideration towards everybody?—With perfect courtesy and great forbearance.

3153. And especially in this case did he?—Especially in this case; indeed, I expected Mr. English would have treated him very differently.

3154. Then you are quite sure that Mr. English would give a correct account of it, and state what was true?—I should think so.

[The Witness withdrew.

Mr. *Cooke* stated that a person mentioned in the preceding evidence (Sparrow) was now in attendance, having been subpœnaed on the part of the Sitting Member, and he requested permission to examine him on the part of the Petitioner, if the counsel for the Sitting Member did not examine him.

The *Committee* declined to grant Mr. Cooke the permission he asked.

Mr. *Cooke* suggested that if the Committee entertained any doubt upon the evidence as it stood upon this vote, the Witness might be called by them.

The Counsel and parties were ordered to withdraw; and the Committee having deliberated, they were again called in.

Benjamin Brooker Sparrow was called in; and, having been sworn, was Examined by the Committee, as follows:

B. B. Sparrow.

3155. WERE you one of the poll-clerks at the last election for the City of Bath?—Yes.

3156. Mr. *Cooke.*] Who brought you up to London?—I was subpœnaed by Mr. Tite.

3157. *Committee.*] Who appointed you?—The returning officer.

3158. You were his poll-clerk?—Yes.

3159. Do you remember Henry Robinson coming to the poll on the day of the election?—Yes.

3160. At what time did you first see him?—Well, I cannot say.

3161. About what time?—About the middle of the day it was I should think.

3162. Did you see him on that day more than once?—Yes; I saw him twice.

3163. Will you tell the Committee what passed upon the first occasion when he came into the booth?—When he came to the booth he tendered his vote; but he was objected to because he said his name was William Eleazer or Henry Eleazer, or whatever it might be; there were two names instead of one; and there was some objection made by the other party, the party on my left; and the man got in a bit of a rage; and when I asked him what profession he was, he said some call me a parson, and some call me somebody else; and somebody said, "I should

"I should call you a damned old woman;" that put the man in a bit of fever, and he went away and came back again.

3164. Are you sure that the question as to his name and designation occurred on the first occasion when he came into the booth?—Yes.

3165. Did you see him subsequently, during any part of the day?—Yes; he returned again.

3166. Will you describe to the Committee what passed then?—He came back and said he should vote for Elton and Way.

3167. Tell us exactly what passed; give a description from the moment he came in?—I cannot tell, so far as it goes; I know he came back.

3168. Could you tell us the time that elapsed before he returned?—Perhaps an hour.

3169. What occurred then?—He came back and brought a certificate of his baptism.

3170. That was the second time you saw him?—Yes.

3171. What did he say to the returning officer, and what did the returning officer say to him, or was there any conversation between them?—I think there were a few words between him and the returning officer; I did not take any notice of that.

3172. Tell us what passed?—He tendered a vote for Way and Elton, as near as I remember, or Elton and Way.

3173. When you say he tendered it, I want to know what passed; I want to know what he said, and what the returning officer said to him?—I cannot tell you that; I do not exactly remember what may have passed between him and the returning officer.

3174. Did you hear the returning officer say anything to him?—Yes; there were some words passed between them.

3175. Do you recollect what those words were?—I think he rather insulted the returning officer; he made use of some remarks, such as—I cannot tell you exactly what the words were, I can hardly tell you what he said; there were some words rather insulting, but I cannot tell the precise words.

3176. Did you hear the returning officer say anything to him?—Yes, of course, it was give and take.

3177. Who do you mean by the returning officer?—Mr. English, the coroner.

3178. Did you then hear him ask his name? was he then asked his name?—I asked him the name.

3179. On the second time did you ask him his name?—I cannot tell you whether I did the second time or not; I did, as a matter of course, ask everybody; I did on the first occasion, I can swear.

3180. This entry that you made—is this in your handwriting (*showing an entry of the tender in the poll-book*)?—Yes.

3181. This entry here, Henry Robinson, was made on the first occasion then?—Yes; it must have been made on the first occasion, because I took the register and put down the numbers; I have been five times poll-clerk, and I write their names, and then ask them for whom they vote; the objection was made between Robinson, the clergyman, and this other man.

3182. Will you undertake to tell the Committee that those words, "Henry Robinson, 2762, 5, Hanover-place," were written upon the first occasion when he came into the booth?—Yes.

3183. I suppose there were some parties polled between that and the time he came back?—No; I remember the circumstance; that was written, and then there was some confusion; the man went away, and came back, and tendered his vote for Way and Elton.

3184. Then you can undertake to say that that was entered on the first occasion?—Yes, I can swear that positively.

3185. Upon the second time when he came in did you ask him for whom he voted, or did anyone ask him for whom he voted?—That I cannot remember.

3186. You do not remember what passed with reference to that?—No; I can remember that the vote was tendered, because there is my writing, saying that it was tendered.

3187. Now tell me, if you please, when these words, "Tendered for Way and Elton," were written by you in this book?—On the day of the election.

3188. But at what time; was it written on the second time of his coming to the poll?—On the second time.

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3189. Was it the second or third?—The second; he only came twice.

3190. Was that written during the time that Henry Robinson was in the room, or was it written after Henry Robinson had left the room?—While he was in the room.

3191. Was it written while he was going away, or while he was at the bar tendering his vote?—It was written while he was in the room; there was a large space. I do not think there was anyone else there at the time, or scarcely anybody outside the bar.

3192. Was any objection made to your so entering that as a tender for Way and Elton?—No; they could not make an objection to a tendered vote.

3193. Did you enter it as a tender for Way and Elton upon your own accord, or by the direction of the returning officer, or how is that?—I did not go by the returning officer. Of course I put down what the party told me.

3194. Eh?—I put down what the party told me.

3195. Did Mr. Robinson say that he tendered his vote for Way and Elton?—He did; he would vote for Way and Elton.

3196. Then you did not enter that it was a tender for Way and Elton by the desire of the voter?—No.

3197. By whose desire did you enter it as a tender, or was it your own desire?—My own; because it was objected to.

3198. You entered it as a tender because the voter said he would vote for Way and Elton, and his vote was objected to. Is that what you state?—Yes, if I understand you. That is as near as I can remember.

3199. Have you any doubt that at the second time when this entry was made, Mr. Robinson stated that he voted for Way and Elton?—I beg pardon.

3200. Have you any doubt that at the time this entry was made, Mr. Robinson stated at the bar that he voted for Way and Elton?—I have no doubt whatever of it.

3201. You will undertake to swear that?—I will undertake to swear it.

3202. You say, on the first occasion when he came in, you wrote down his name, and entered him as you find it there?—Yes.

3203. Why was his vote not recorded then?—He went away from the booth. There was some quibble about William Eleazer or Henry Eleazer; about his second name; and he went away; and when he returned he brought back the certificate of his baptism, to show what his name was.

3204. Was any question put to him the first time when he was in the booth?—Really I can hardly tell you now.

3205. Did you hear any question put to him the first time he came into the booth?—Well, there was a question put; whether he was the same party or not.

3206. Who put that question?—I will not be sure whether Mr. English put it or I did.

3207. Either Mr. English or you?—Yes.

3208. You put it to him?—Yes; I asked him whether he was the party who was on the register.

3209. Did you ask it from yourself, or did you put it in the form it is in the Act of Parliament?—I had it before me all the day, the printed form.

3210. And what answer did he give?—He said something about a bother about his name, and he went away, and then he came back.

3211. When you put that question on that occasion did you get any answer?—Well, I cannot say whether I did or not; but I remember his going away, and bringing back the baptism certificate.

3212. Try and remember; on that occasion when you put that question to him, which it was your duty to put, did he answer that question?—I really cannot say whether he did or not positively; he was in a way to think that his vote was disputed, or that he was called about his name; he said he was always in a bother, having two names, and he went away, and came back, and brought his baptism certificate to prove he was Henry Eleazar.

3213. But you cannot say whether or not, when you put that question, he answered it?—I cannot swear positively to it.

3214. Should you say he did or did not?—Of course I am not allowed to think.

3215. As far as your recollection goes?—I should presume he did.

3216. That he said he was the person there described?—Yes. I should presume that, because of the fact of his going after the certificate.

3217. Then

3217. Then if he answered that question why did you not record his vote?—I do not know; he went away directly; he went out of the place, and went and fetched the certificate.

3218. I thought you said in the first part of your examination that he came to the booth and tendered his vote?—No; he came, and I put down his name, and there was some objection made to him because he had two names, and there was only one on the register; and then arose a bit of a quibble, and I did not put down the strokes, but left the blanks in the columns. Then the man, finding there was a quibble against his name, went over to where he lived, and came back with the certificate of his baptism.

3219. Did you not say at the beginning of your examination that he came to the booth and tendered his vote?—Yes.

3220. Who did he tender it for?—Way and Elton.

3221. Now, you say he came to the booth and tendered his vote for Way and Elton?—Yes.

3222. You are quite clear about that?—Yes.

3223. And are you quite clear that upon his tendering his vote for Way and Elton you asked him if he was the person described in the register as John Robinson?—No; I told you I presumed he did so from the fact of his going away.

3224. You told me that either you or Mr. English put the question to him; that you had the question before you, and that you asked him whether he was the person described in the register?—Yes.

3225. Did you give a correct answer there?—Yes.

3226. And you said also that he answered that question?—I presume that he did; I said just now that I could only presume that he did.

3227. If he came to the polling booth, and you made that entry in the poll book; if he tendered his vote in your hearing for Way and Elton, and answered the question which you put to him, as to whether he was the person described in the register, why did you not enter his vote?—For the same reason that I did not enter Mr. Yerbury's vote in the same book.

3228. Why did you not enter the vote?—Because it was objected to by the opposite party. I did not enter it for either side, but I put it as a tendered vote.

3229. You say you did not enter his vote because it was objected to by the opposite side?—Yes.

3230. What was the objection that was made?—Because there was only one name upon the register, instead of two Christian names; the difference was about the two Christian names.

3231. You did not enter it as a tendered vote?—Yes, I did.

3232. I thought you did not upon that occasion?—Not the first time.

3233. Why not?—Because he went away to fetch the certificate of his two names.

3234. But you did not know that he had gone to fetch his certificate, did you?—He went away from the booth, and afterwards came back; when he came back I filled up the blank, or rather wrote in the margin "tendered for Way and Elton."

3235. Did he tender his vote when he came back again for Way and Elton?—Yes; that must have been when he said so.

3236. When he tendered his vote upon the first occasion, how did he tender it; had he a card, or how did he mention the name?—That I cannot say; all those that came with cards, and put down a card, I told them they must mention their names; I made them all mention their names.

3237. Did you hear any conversation between him and Mr. English about mentioning their names?—Yes, I have already told the gentleman so.

3238. Upon the first occasion when he tendered his vote, do you mean he offered to vote, or named the parties for whom he voted?—I cannot exactly tell you which way that was, not to swear positively; as nearly as I remember, the circumstance, it is what I have stated already.

3239. Did he, on the first occasion, present any card?—I cannot say whether he presented a card or not.

3240. Did he tell you his name?—As Robinson.

3241. He told you that?—Yes; that was what made the bother about his having

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having two names. As nearly as I can remember I asked him whether he was Henry Robinson, or what it was, and he said he was with the two names.

3242. He told you in answer to your question what his names were?—Yes.

3243. Did he show you any card with his name upon it?—I cannot remember whether he did or not.

3244. Did he show you any card with the names of the candidates?—That I cannot remember; there were lots of cards there.

3245. You are clear that you heard him mention the names of the two candidates?—Yes, I can swear that positively.

3246. What you mean is that the first time he came you put down his name?—Yes.

3247. And you put down how he voted the second time, did you not?—I presume that must have been how it was.

3248. You would not have put down who he said he voted for, unless he had mentioned the names, I suppose?—No.

3249. And you distinctly swear that he said "Way and Elton"?—Yes.

3250. You think he must have said so because you so wrote it down?—Yes.

3251. You and Mr. English had some conversation respecting this vote, had you not?—No, I do not know that we had at all.

3252. Not as to the name?—There were five of us there; and of course there was a talk as to whether we should put it down or not.

3253. Did you hear Mr. English say he should advise him to tender his vote, and that he would receive it as a tender, being satisfied he was the right man, though his name was not right?—I cannot say whether he did or did not; there was some conversation.

3254. Can you state the result of the conversation that you had with Mr. English and Mr. Kirby?—No; I know there was some conversation among us there.

3255. Was it not upon the name, whether he was the person who was down in the register?—Yes; because some of them thought it was Robinson the minister at Kensington Chapel; but I knew better than that myself.

3256. How did you know that?—Because I knew Mr. Robinson previously. I knew him well, but I did not know this other Mr. Robinson. I do not know whether the Rev. Mr. Robinson was on the register or not, but that was how it occurred.

3257. How often did he come into the booth that day?—Twice.

3258. Only twice?—Yes.

3259. Were you there the whole day?—Yes.

3260. And when you entered his name, was there any discussion about it?—I cannot tell you now.

3261. Did any party object?—Yes, or else I should not have put it as only tendered. I should not have put it as tendered if it had not been objected to. Perhaps it may have been my mistake in not entering it for Way and Elton, and entering that it was objected to. Perhaps I should have been more right if I had done that, and I believe I should have been.

3262. When you entered it, was there any discussion whether you should enter it as tendered?—I cannot tell you.

3263. You cannot tell whether anything passed between you and Mr. English about it?—No, I cannot.

[The Witness withdrew.

Mr. *Clerk* was heard against the vote.

Mr. *Cooke* was heard in support of the vote.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

The Counsel and parties were again called in.

Vote not added.

ON THE VOTE OF JAMES LESTER.

Mr. *Cooke* proposed to strike this vote off the poll as a vote given for the Sitting Member, on the ground that the voter was guilty of undue influence.

Joseph Cleall was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

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3264. ARE you a baker residing in Comfortable-street, at Bath?—Yes.

3265. I believe you rent 46 cottages and a scavenger's yard, under a gentleman of the name of Williams?—Yes.

3266. On a 21 years' lease?—Yes.

3267. And you let these cottages by weekly holdings, do you not?—Yes.

3268. Are you required, by the terms of your lease, to keep them in repair?—Yes.

3269. And have you had to expend money for that purpose?—Yes, I have expended upwards of 300 *l.* upon them.

3270. Who is the agent for Mr. Williams in Bath?—Mr. Fisher.

3271. Is he a person who takes any part in the politics of Bath?—Why, I have understood that he is a pretty strong Liberal. He is no voter.

3272. On which side have you been a voter for Bath for many years?—I have voted for the Conservative side ever since the Reform Bill passed. I never omitted it till this time.

3273. The day before the last election, did you meet Mr. James Lester?—I did.

3274. What is he by business?—A timber merchant.

3275. Is he a person who takes a pretty active part in politics on the opposite side to you?—Yes, he is a very strong partisan.

3276. Had you promised your vote before you met Mr. Lester?—Yes, I had.

3277. For whom had you promised it?—I had promised it for Mr. Way.

3278. When and where did you and Mr. Lester meet the day before the election?—The evening before the nomination, on my return home from going out with my bread as usual, my daughter told me that Mr. Lester had been at my house.

3279. Did you afterwards see him?—And much wished to see me; and if I was at home and could come to his house.

3280. You understood from your daughter that Mr. Lester had called, and that he wanted to see you?—Yes.

3281. Did you see Mr. Lester soon afterwards?—The next day I had occasion to go towards town between 10 and 11 in the morning.

3282. The morning of the nomination?—Yes; and I met Mr. Lester, and as he met me he said, "I was going down to your house, Mr. Cleall." I said merely, "What for, sir?" So then he said, "Do you not rent from 140 *l.* to 150 *l.* a year from Mr. David Williams, in Wales?" He lived at Carnarvon. I said I rented 145 *l.* a year from him; he said, "Well, that is the same thing; and by the same (he says) he has sent a letter here, requesting your vote and interest for the Liberal party."

3283. I want to know his words; what he said?—That was the words he said.

3284. Did he use the words "by the same"?—He used the words "by the same;" he took a letter from his pocket; he says, "He has sent a letter here, requesting your vote and interest for the Liberal party."

3285. Well?—A few more words passed between us, I wondering at his taking that part, considering him to be a perfect gentleman, to interfere with me, as I did not derive my vote from his property, but from my own.

3286. Is that what you said to Mr. Lester?—Yes, I said it to him.

3287. *Committee.*] Did he say "vote," or "vote and interest"?—Vote and interest.

3288. Mr. *Cooke.*] We want to know what you said to Mr. Lester?—I said I wondered Mr. Williams sending to me, I thinking him to be a perfect gentleman, interfering with me.

3289. *Committee.*] Did you say that to him?—I said that to him.

3290. Mr. *Cooke.*] Did you say anything more?—As I did not derive my vote

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from his property but from my own, because his property is in the county, and not in the borough.

3291. The lease you have under Mr. Williams is out of the borough?—Yes, it is.

3292. What amount of money were you indebted to Mr. Williams at that time?—About 40 *l.*; that was the money, to a pound.

3293. Did Lester give you any advice upon the subject?—When we came opposite his house, instead of going in-doors, or instead of standing on the pavement, he requested me to come down to his back yard, and just as we got inside his back yard gate he said to me, "Cleall, I should advise you to vote for Mr. Tite; you had better."

3294. What sort of a tone or manner did he speak those words in?—In a kind of threatening attitude, as it were; that I had better so to do, or trust to consequences; his manner was such, but his words were not such.

3295. What passed after that?—My answer to that was, that I had promised Mr. Way, and rather than I would be compelled to vote for Mr. Tite I would have my right arm cut off, because I had voted for so many years for the Conservative party, and had promised such a gentleman as Mr. Way——

3296. What did you say to him?—Those were the words that I said to him; and some other expressions were made use of.

3297. What did he say?—He did not seem to say any more on the subject to me then.

3298. Was Mr. Cambridge by at any part of it?—He was standing at his shop door, just across the turnpike road, seeing these things, but not hearing anything, and seeing apparently a letter in Mr. Lester's hands, and seeing us go down the yard together.

3299. What was the consequence or effect of what he said to you?—The consequence was a very strong effect on my feelings, that I did not know what to do; but rather than be injured by Mr. Williams, not knowing what his politics were, I declined voting at all, but took an active part, as far as lay in power, to advocate the cause.

3300. Was it in consequence of what Lester told you that you refrained from voting?—Yes; that was the only reason I had for not voting, fearing what the consequences might be.

3301. *Committee.*] You took an active part to do what?—To advocate the Conservative party; but not to vote, so that it might be made known to my landlord.

Cross-examined by Mr. *Clerk.*

3302. Are you the witness who appeared here in Help's case last week?—I am.

3303. I think you told us you were in the polling booth that day?—Yes, I was, several times.

3304. On the polling day were you with some of Way's people?—Yes, I was; I never walked about with two parties; I always kept with my own party.

3305. I think you are one of those who will not associate with the Liberals?—Only in what you call the common business of life. If you was a Liberal I would associate with you, if it was my feelings and civility.

3306. But at election time you keep pretty well to your own colour?—Yes.

3307. Did you tell any one of your own friends on the polling day of what Mr. Lester had said to you?—Yes.

3308. Who did you tell it to?—I told it to Mr. Charles Reeves; young Reeves.

3309. That was the poll clerk?—Yes; I told him; and I told Mr. Cambridge within five minutes after.

3310. You told those two, did you?—Yes, I told Mr. Cambridge for one.

3311. Who is he?—A gentleman who will be here presently.

3312. What is he?—A blacksmith.

3313. Did you tell him within five minutes of its happening?—Yes, it was within five minutes, opposite Mr. Lester's.

3314. He is a most intimate friend of Mr. Lester's, is he not; Mr. Lester was in conversation with Mr. Cambridge within five minutes afterwards himself?—Yes.

3315. Was

3315. Was that after you had spoken to Cambridge?—Yes; I spoke to him.

3316. You went and told Cambridge of this threat, as you call it, and then Lester went and spoke to Cambridge after that?—Yes; I went into Cambridge's house, talking to Mrs. Cambridge, and when I came out Lester was talking to Cambridge.

3317. Where does Cambridge live?—He lives at what I may call the bottom of the Marlborough-lane, directly opposite Mr. Lester's, about 40 yards.

3318. Mr. Lester's house?—Yes.

3319. Opposite Mr. Lester's front door?—Yes.

3320. Was that the place where you first met Mr. Lester?—I met Mr. Lester about 200 yards towards my own house from his house.

5321. You walked with him?—Yes.

3322. Was it there he showed you the letter?—It was all on the way as we passed; we kept walking on and talking of the address.

3323. You say he took you down to his back yard?—Yes, just through his yard gates to his back; his gates are in the front, and as we went through his gates we came to his back.

3324. You mean the back of his house?—Just the sideways of his house; what we call the back of his house.

3325. Was it there you say that he used that expression, "I advise you to vote for Tite"?—It was.

3326. In this back yard?—In the yard.

3327. You are a gentleman of rather warm feelings, I think?—We are all, at election times; our feelings are more excited than at other times; yours are, I suppose.

3328. I try to keep cool, if I can?—I endeavour to do so, but cannot sometimes.

3329. Did you threaten to shoot any Radical who spoke to you this morning?—A great Radical, I might call them; I might term them Radicals; you put that name on them, and I think it is the right term for them. I might Mr. Cox, who foreswore himself last Friday, and I can bring one of his own party as a witness against him; he met me this morning. I have been here ever since last Thursday, and because I thought proper to wear a blue handkerchief, to change it for a cleaner one, Mr. Cox, as I was walking away from the gallery, said, "I am glad to see you change your colours a little." I said, "That is my business, sir." And another gentleman with him said, "I hope he will never have reason to put it on again." "Mind your own business, I know you not, I can tell you that far; you have interfered with it too much already, and if I am ever interfered with any more with the same party feelings I have already, and by a Radical as you are, if I had a pistol loaded I would shoot you, for it do not become one Englishman to interfere with another." Those are my words, and I do not deny them. Mr. Cox had no business to interfere with me about my handkerchief.

3330. To come back to the election; do you remember that there was some conversation about a clergyman?—Yes.

3331. Who was that; the Reverend Mr. Dixon, of Trinity Church?—Yes.

3332. Did you swear rather considerably to Mr. Dixon?—The words I made use of then to Mr. Lester, I must tell you, gentlemen, all here in my calmer moments, I am ashamed to think of them, because it was words that Mr. Lester, with his taking so active a part about me in the vote, that it excited me very much; because he was a man that I do not believe a man, woman, or child in Bath can say that Mr. Lester did them one farthing favour, and, therefore, he never did me one, and I thought he had no right to interfere with me; and by that means when he mentioned Mr. Dixon, he being a clergyman who every one in the parish do look on as a gentleman; and I might say at the last election before this, he came to me his own self as a clergyman, to wish me to vote for Mr. Whateley and not for Mr. Tite; but this election, it was reported, he was going to vote for Mr. Tite himself, and that made me angry and excitable.

3333. And you used some rather strong expressions?—They are expressions which, if the gentlemen would hear them mentioned, I will mention them, but they were not very proper of me, but being excited I am sorry I made use of those expressions, and in my calmer moments I regret to think of them.

3334. Was it upon your swearing to Mr. Dixon that Mr. Lester dropped the conversation and left you?—Mr. Dixon was not present.

3335. Is he your clergyman?—Yes; where I have the greatest pleasure, twice

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a Sunday, to go and hear him; I was debarred from it last Sunday through this affair.

3336. Was it on your swearing and damning Mr. Dixon very considerably that Mr. Dixon left you?—No; Mr. Lester found I was not going to be turned by him particularly, but he did not care about turning me, if he could deter me from voting at all; he done his utmost as far as he thought he had done, and he could not do more than it was with impressing on my landlord, and how much money I owed, and such things bringing it to my mind.

3337. Did Mr. Lester use any threat or any word of threat to you in that conversation when he had the impertinence to ask you for your vote?—When he said to me, "We have received a letter from Mr. Williams," I considered it was sufficient to tell me what the meaning of that letter was.

3338. That Mr. Williams would like you to vote for Mr. Tite?—Yes.

3339. What did he say after that, that offended you?—Offended me?

3340. What else did Mr. Lester say after that; what was there more which distressed your feelings?—When he said, "I should advise you to vote; you had better," that was, I considered myself, enough to deter me from voting at all.

3341. Do you mean to tell this Committee that that deterred you from voting at the last election?—I can conscientiously swear before thousands that it was the only thing to put me out, but for the time to come ten thousand such threats shall never deter me.

3342. Did you go to the poll-booth, just as the clock was striking four, to vote?—No, I did not.

3343. Were you not told it was too late by Taylor, the poll-clerk, or the poll-clerk, whoever he was?—No, sir.

3344. Be careful?—I do not want any caution. Now, sir, I can tell you, that at three o'clock I was there looking and seeing Mr. Treasure going to vote.

3345. A drunken man?—He is a man a little exhilarated at the time of elections; at three o'clock I saw him; then I went up in Union-street, where the central returns were, to see how Mr. Way was situated, for I could not believe some of the out-standing postings. When I was there I saw Mr. Way was six behind at half-past three. I thought that he had gained some in numbers, and I went down to tell my friends of it, who did not know of it, because I thought it would show them how they were standing; by that means, as I passed by the polling-booth on my way towards home I went in, and coming from Union-street to King-street, which is some considerable distance, through a mob of persons, it was ten minutes before four when I came there. When I looked into the poll-booth at King-street, Taylor and Doctor King and another was coming out. Mr. King pulled out his watch and said, "You are too late." I said, "What for?" He said, "To poll."

3346. Did you go there to vote?—I did not. I went in merely to see what was going on.

3347. You swear you did not go just at four to tender your vote?—Certainly I can; whoever will swear otherwise speaks false.

3348. About the undue influence or threats which were used to you; it was Mr. Lester, as I understand it, who told you that Mr. Williams, who was your landlord, would like you to vote for Mr. Tite?—For the Liberals; he did not mention Mr. Tite's name; and Mr. Lester added that and Mr. Tite.

3349. And afterwards he said to you, "I advise you to vote for Mr. Tite"?—Yes.

3350. There was a good deal of threat and menace, was there?—These was the words, and I could see the kind of menace in the manner.

3351. Do you hold a lease?—Yes; I have been on a 20 years' lease, and I did not wish to have any upset with Mr. Williams.

3352. Do you pay your rent regularly?—All that but 40 *l.*; and Mr. Williams has been kind enough to let that stand in arrear, because some of it fell down, and it cost 100 *l.*

3353. When did he do that?—A few years ago.

3354. Has the money been always in arrear?—Yes.

3355. Has he, since the election, required payment of it?—No, he has not.

3356. Did he ever say anything to you about your vote?—Never.

3357. Is Mr. Lester a person who takes much part in politics?—He is pretty active at such times; he is a man that bears in remembrance years ago, if an election were to come again; he is not a foregoing sort of gentleman.

3358. Is

3358. Is he a man who will take a pistol and shoot a man who votes against him?—He will not leave a stone unturned. *Joseph Cleall.*

3359. Was it what he said that induced you not to vote?—It was. 17 July 1857.

3360. You know that at half-past three Mr. Way was only six behind?—Yes; since I had that property I have had a great deal more on my hands, and therefore I have refrained from doing more than give my vote and return home, and that is what I intended to do this time for Mr. Way; but when I was interfered with I did my best to make up for what I term my lost vote through interference.

[The Witness withdrew.

William Cambridge was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

3361. I BELIEVE you are a blacksmith, living at Bath?—Yes. *W. Cambridge.*

3362. Do you remember, on the day of the election, seeing Cleall and Mr. Lester together?—Yes.

3363. Had you voted for Mr. Whateley at the former elections for Bath?—I do not know whether I voted for Mr. Whateley; I voted for Powerscourt and Bruges.

3364. You voted for Mr. Tite, did you not, last time?—Yes; Tite one and Mr. Way one.

3365. Were you canvassed by Lester for Tite?—He did merely ask me how I was going to vote, and I told him.

3366. Was he canvassing for Mr. Tite?—Not that I know, more than that.

3367. Did you see him and Cleall together?—Yes.

3368. What did you see Lester do?—All I saw him was with a piece of paper, a letter in his hand, walking up Albion-place.

3369. The opposite side of the street?—Yes.

3370. How soon after you had seen him with a letter did Cleall come to you?—It may be three minutes.

3371. What state did he come in?—In a passion; cursing and swearing.

3372. Did he complain of anybody?—Yes.

3373. With whom was he angry?—Mr. Lester.

3374. That was what he complained about?—Yes.

3375. Did he make a statement to you (I do not ask what it was) of what had passed between Lester and yourself; only say "Yes" or "No"?—Yes.

3376. Did you afterwards see Mr. Lester?—Yes, I see him every day.

3377. Did you speak to him about what Cleall had told you?—Mr. Lester spoke to me of it, of what Cleall had said.

3378. What was it?—He said that Cleall cursed and swore; and he would not have asked him for his vote for 5*l.*, if he had known it would have irritated the man in such a way.

3379. Did he say anything about the letter?—He said he had got a letter that came from 200 miles off.

3380. From his landlord?—He did say from whom; he said he had a letter from a gentleman.

3381. About Cleall's vote?—To ask him for his vote.

3382. Was that the same day that you had seen Cleall, when he was complaining of Mr. Lester?—Yes, the same day; the same morning.

3383. How soon after Cleall had left you did you see Lester?—It may be half an hour, or three-quarters; I cannot say which.

Cross-examined by Mr. *Clerk*.

3384. Did Mr. Lester threaten you with any evil if you did not vote for Tite?—No.

Examined by the *Committee*.

3385. Are you a tenant of Lester's?—No.

3386. Had he any influence over you?—No influence in particular; he is a neighbour of mine, living next door; opposite.

3387. Do you rent under him?—No.

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3388. Did Cleall ever say to you that he was prevented from voting?—He said he was prevented by that letter. He was in a very excited state when he came over and told me of it.

Re-examined by Mr. *Cooke*.

3389. Did the fact of the letter having been produced seem to cause him distress or annoyance?—Yes.

[The Witness withdrew.

Vote good.

ON THE VOTE OF HENRY BRIGHT.

The *Committee* inquired of Mr. Slade whether this case did not fall within the language or spirit of the resolution passed by the Committee on the 14th instant.

Mr. *Slade* submitted that the resolution referred to was not applicable to this vote.

Mr. *Phinn* was heard on the part of the Sitting Member to submit that, under the resolution now in question, it was not competent to the Counsel for the Petitioner to support their objection to this vote.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

The Counsel and parties were again called in.

Vote good.

ON THE VOTE OF GEORGE LEWIS.

Mr. *Phinn* proposed to strike this vote off the poll, as a vote given for the Petitioner, on the ground that his vote was improperly recorded.

Mr. *Slade* admitted the objection.

Vote struck off.

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Numbers of the Questions; the Figures following *Ev. p.* to the Paging of the Evidence; and the Numerals following *Rep. p.* to the Paging of the Report.]

A.

AGENTS. Witness was an active supporter of Mr. Way, *Reeves* 571, 572. 609——Mr. Cox was an active partisan of Elton and Tite, *ib.* 607, 608——Witness took an active interest in behalf of Mr. Way, though he did not vote for him, *Cleall* 3299–3304.——Decided character of witness's political sentiments, *ib.* 3305, 3306——Captain Dolphin took an active part for Mr. Way, whom he seconded at the nomination, *Broad* 2530–2534——Witness was not one of Mr. Way's paid agents; he was on his committee, *Bartrum* 2560–2565——Captain Dolphin was the first to advise Mr. Way to come forward, and was very active in his behalf, *ib.* 2566–2569.

Aylmer, Thomas Brabazon. The vote of Thomas Brabazon Aylmer is struck off the poll of the petitioner on the ground of non-residence, *Rep. p.* iii. vii.

B.

Bailey, Benjamin. (Analysis of his Evidence.)—Baker at Bath, 18——Promised before the election to vote for Way and Elton, 19–23——Voted at No. 2 booth, for Way and Elton, on the afternoon of the polling day, 24–28. 53–59——Before the election witness had received one of Mr. Way's cards and a card of Elton and Tite, but had had the name of Tite struck out of the latter card, 29–37. 78, 79——Witness handed the cards to the poll-clerk, and said he voted for Way and Elton; the card of the latter was returned to witness, and Way's card only retained, 38–42. 45–77. 87, 88——Shortly after the election, witness said he had voted for Way and Elton, 43, 44——Witness saw the poll-clerk write down his name in the poll-book, 80–90.

Bailey, Benjamin. The Committee have altered the poll, by striking off the vote of Benjamin Bailey from the poll of Mr. Tite, and adding it to the poll of Mr. Way, *Rep. p.* iii.

Barry, John. (Analysis of his Evidence.)—The voter Phillips told witness, who is assisting the solicitor for the petitioner, that when he came from Birmingham to vote, he had work there to which he might return, and that but for the election he should not then have come to Bath, 1461–1463.

[Second Examination.]—On the 7th instant, witness went to No. 3, Milsom Buildings, Bath, in order to serve John Vaughan with a Speaker's warrant, but did not succeed in finding him, 1464–1480——A woman with whom Vaughan resided and cohabited when at Bath, told witness, when at Bristol, that Vaughan was at Liverpool, 1467–1470——Vaughan is an ironmonger or blacksmith, 1481–1486——Statement as to Vaughan having long since left the house in Westgate-street, Bath, in which he used to reside; witness has not seen him in Bath for a year and a half, 1487–1498. 1512–1524——There is a Mrs. Vaughan at Bath; she has been summoned as a witness, 1488–1491. 1499–1508——The premises held by Vaughan in Monmouth-street have been let to some one else, 1515–1517——Vaughan's name was over the door in Bristol, 1522.

[Third Examination.]—Witness served Mrs. Vaughan in Charles-street, Bath, with a Speaker's warrant; he understood she was living there quite alone, 1642–1647.

Bartlett, Edwin. (Analysis of his Evidence.)—Was formerly an innkeeper at Bath; gave up the business in January last, 1129–1132——On leaving Bath in January, witness went into furnished lodgings at Tiverton, near Bath; he went to Sidmouth for about three weeks in March, and returned to Tiverton or Bath the day before the election, 1133–1143. 1158–1168. 1178. 1186–1188. 1201–1209. 1216–1220——On leaving Bath in January, witness left one of his children, and some furniture, in care of a man named Huntley, who was ostler at his inn; witness had no room or residence at Huntley's, and never

Report, 1857—*continued.*

Bartlett, Edwin. (Analysis of his Evidence)—*continued.*

never slept there, 1144–1157. 1164–1175. 1183–1185. 1190–1196——Witness received his travelling expenses from Sidmouth for going to Bath to vote; he went to Bath on account of the election, 1179–1182. 1210–1213——When witness left Bath, he intended to return; he stayed there some time after the election, 1189–1202.

Bartlett, Edwin. The Committee have altered the poll, by striking off the name of Edwin Bartlett, *Rep. p.* iii.

Bartrum, Joseph Kilvert. (Analysis of his Evidence.)—Solicitor at Bath, 2535, 2536——About ten days ago, Mark Dunscombe came to witness's house, and witness asked him if it was true that he had had anything for voting for Mr. Way; Dunscombe denied that he had received anything, and said he had from the first intended to vote for Mr. Way, 2537–2548——Object of Dunscombe's visit to witness, 2541–2544. 2549–2551——Remarks made by Dunscombe about losing business through having voted for Mr. Way, 2543——Circumstance of witness having given Dunscombe a glass or two of beer, 2553–2559.

Witness was not one of Mr. Way's paid agents; he was on his committee, 2560–2565——Captain Dolphin was the first to advise Mr. Way to come forward, and was very active in his behalf, 2566–2569.

Batchelor, William. (Analysis of his Evidence.)—Butcher in Nelson-place, Bath, 235, 236——Went to No. 5, polling-booth, intending to vote for Way and Tite, 237–239. 273–276—— Before voting, witness was asked the usual questions, and his name and residence were taken down; he had no card with him, 239–247. 272——On being asked for whom he voted, witness said, "Way;" and then after a short pause, whilst the poll-clerk was putting down the first vote, added the word "Tite," 248–276——The poll-clerk said, witness could not record a vote for Tite, as it was not given at the same moment as the vote for Way; witness remonstrated, but to no purpose, 255–257.

Batchelor, William. See *Rejected Votes*, I. 1.

Billington, Charles. (Analysis of his Evidence.)—Acted as check-clerk for Elton and Tite at No. 6 booth, Walcot, 3005–3011. 3073–3076——Statement as to Mr. Robinson having come to this booth, and thrown down a paper, as explaining for whom he voted, which paper the returning officer, Mr. English, declined to receive; rage of Mr. Robinson on this occasion, 3012–3041——Belief that Mr. Robinson said nothing at all on his first visit to the booth; there was no discussion about his Christian names being different from the entry on the register, and no reference to the registry on the subject, 3022–3041. 3084–3106. 3130–3149——Witness did not hear Mr. Robinson say, "he did not care a damn" whether he voted or not, 3030–3034. 3040, 3041.

Second visit of Mr. Robinson to the booth, when he merely said, "Mind, I vote for Way," 3042–3047——Third visit to the booth, when he brought a lot of papers, in order to prove his name; discussion on this occasion as to his identity, and as to his name appearing inaccurately on the register, 3048–3059. 3098–3117. 3130, 3131——Mr. Robinson did not, on this occasion, make any tender of his vote; but at the suggestion of Mr. English, the poll-clerk entered it as a tender for Mr. Way, 3060–3077——Mr. Sparrow, the mayor's poll-clerk, is now in London, 3078–3081.

Witness never heard Kirby, check-clerk for Mr. Tite, apply the term "old woman" to Mr. Robinson, 3099–3103——Impression made on witness at the time by Mr. Robinson's conduct; he has only recently been called upon for information on the subject, 3118–3124. 3133, 3134 —— Mr. Robinson did not seem to care much about his vote being taken at all, 3125, 3126——Mr. Sparrow is clerk to Mr. Towning, who was an active supporter of Mr. Way, 3127–3129.

Witness did not hear Mr. English say he was satisfied that Mr. Robinson was the party intended by the register, 3132–3134——He did not hear Mr. Robinson mention the name of Way, except on his second visit to the booth, 3135–3149——The version of Mr. English may well be taken as correct; his conduct altogether was most courteous and impartial, 3137, 3138. 3150–3154.

Breadman, Daniel. The vote of Daniel Breadman is struck off the poll of the Sitting Member on the ground of non-residence, *Rep. p.* iii. viii.

BRIBERY:

I. *Votes for Petitioner:*

1. Case of John Russell.
2. Case of Robert Chapman.
3. Cases of Mark Dunscombe and James Dolphin.

II. *Vote of Salvador Marchione for Sitting Member.*

I. *Votes for Petitioner:*

1. Case of John Russell:

Witness is a painter, living in Claremont-buildings, Bath, *Fletcher* 1768, 1769——Is well acquainted with John Russell, plasterer, living at Old Orchard, Walcot-street, *ib.*

1770–

Report, 1857—*continued.*

BRIBERY—continued.

I. *Votes for Petitioner*—continued.

1. Case of John Russell—*continued.*

1770–1774——On several occasions before the election Russell told witness that he was going to vote for Tite and Elton; examination hereon, *Fletcher* 1775–1785. 1816–1855——Conversation of witness with Russell a few days after the election, when Russell said he had been so bothered that he had voted for Way and Elton, and had half a side of bacon presented to him; examination hereon, *ib.* 1786–1815. 1845 *et seq.*——Statement as to George Phillips having been present when Russell said he had had half a side of bacon, *ib.* 1792, 1793. 1903–1921.

It was not stated by Russell at any time from whom he had received the bacon, or why it was given, *Fletcher* 1794–1802. 1813, 1814——On one occasion Russell said he had been obliged to vote for Way because his wife had so told him, *ib.* 1803–1807. 1815. 1890–1902——Witness voted for Tite and Elton, *ib.* 1808, 1809——Witness did not open the conversation about the bacon, or say that he had had any himself, *ib.* 1810, 1811—— Remark of witness to Russell on the first occasion that he was not a man of his word, *ib.* 1856–1879——A few days after the first conversation about the bacon, witness and Russell again mentioned the subject of the bacon, *ib.* 1866–1874.

Circumstance under which witness gave information to Mr. North, secretary of the Liberal Association, of what Russell said about the bacon; a letter was written to witness on the subject by Mr. North, who had heard of the matter from others, *Fletcher* 1880–1885. 1932–1939. 1966–1982——Two or three days after witness had heard there was to be a scrutiny, he mentioned to a few persons, one of whom was a man of the name of Nicholls, what he had heard from Russell, *ib.* 1886–1889. 1922–1931. 1940–1965.

Witness, who is a painter at Bath, is well acquainted with John Fletcher and John Russell, *George Phillips* 1983–1987——A few days after the election, Fletcher and witness met Russell, who said that Mr. King and others of Mr. Way's party had so bored him that he had voted for Way and Elton, and subsequently said he had got half a side of bacon, *ib.* 1988–2008. 2021–2031——Doubt whether Russell's remark about the bacon was said seriously or jokingly; impression that he was serious, *ib.* 2009–2023——He did not say from whom he received the bacon, nor for what he had received it, *ib.* 2024–2031——Witness mentioned the conversation to two or three persons, *ib.* 2032–2034.

Witness voted for Elton and Way, *John Russell* 2035——Did not receive any bacon or anything else on account of the vote, *ib.* 2036, 2037——Recollects a meeting with John Fletcher and George Phillips a few days after the election, at which they said something about witness having had a side of bacon for his vote; remark of witness in jest, *ib.* 2038. 2055–2058. 2064——Witness was vexed by the remarks of Fletcher and Phillips; he hardly recollects what he did say, *ib.* 2038. 2064.

Witness did not promise Fletcher or any one else that he would vote for Tite, *John Russell* 2039–2045. 2049–2054——Mr. King, of Milsom-street, urged him on the polling day to vote; he was ill in bed at the time, but got up purposely to vote, *ib.* 2042–2047——Fletcher did not say to witness that he was not a man of his word, *ib.* 2059–2063——Witness did not tell Fletcher that his wife had had the bacon; there was, in fact, no bacon in the house at the time, *ib.* 2065–2068.

Witness, who is wife of John Russell, did not receive any bacon from any one at the time of the last election, *Rosanna Russell* 2069——Particulars as to several persons having called to ask for witness's husband's vote, *ib.* 2070–2083——Some one saw witness's husband on behalf of Sir Arthur Elton and Mr. Tite, but he said he had not made up his mind for whom he should vote, *ib.* 2079–2082——Witness was not asked by Mr. Way's friends to get her husband's vote for Mr. Way; when they called in his absence, they merely left a card, *ib.* 2084–2087.

It is decided that the vote of John Russell, for the Petitioner, is a good vote, *Ev. p.* 68.

2. Case of Robert Chapman:

Witness is a tailor at Bath, *Stoyles* 2088–2090——Knows Robert Chapman, who is a butcher in a very small way, *ib.* 2091–2095——On the Wednesday before the election saw Captain Dolphin, Captain Harland, and Mr. Bartrum at Mr. Way's committee-room, and in consequence of a communication from them went to ask Chapman for his vote for Mr. Way, but Chapman said a better man must come to him, *ib.* 2096–2111——Captain Dolphin and witness went subsequently to Chapman's shop, and the latter, when asked for his vote, said he was a very poor man; and Captain Dolphin remarked, that a bullock would look well in his shop, *ib.* 2112–2135.

On the Saturday following, which is market day, Chapman had more beef in his shop than he usually had, *Stoyles* 2135–2146——Some five or six weeks after the election, witness met Chapman at Hoare's public-house, and asked him jokingly, whether he had received 5 *l.* for his vote, or whether he had got a whole bullock or a part of one; anger

Report, 1857—*continued.*

Bribery—continued.

I. *Votes for Petitioner*—continued.

2. Case of Robert Chapman—*continued.*

of Chapman on this occasion; witness cannot recollect the details of what passed, *Stoyles* 2147-2179. 2198——Witness took the Conservative side at the election, *ib.* 2157, 2158 ——About a week ago witness again saw Chapman at a public-house, and they had some joking about Chapman's vote, and about coming to London, *ib.* 2180-2190. 2195-2197 ——Witness has not been in communication with Mr. Williams or any of the Conservative party since the election, *ib.* 2191-2194.

The Committee decide that the vote of Robert Chapman for the Petitioner is a good vote, *Ev. p.* 71——The Committee refuse to accede to an application by Petitioner's Counsel to declare the objection to Chapman's vote frivolous and vexatious, *ib.*

3. Cases of Mark Dunscombe and James Dolphin:

Witness had promised before the election to vote for Tite, *Dunscombe* 2200-2205—— Has on former occasions voted for the Liberal candidates, *ib.* 2206-2209——On the day of the election, whilst witness was at work in Mr. East's garden, Captain Dolphin and Mr. Hutton, clerk to Mr. Bartrum, came to ask him to vote for Way, and Captain Dolphin said he would give him his work to do; examination hereon, *ib.* 2255 *et seq.*—— Explanation as to witness having told Captain Dolphin that he had on other occasions lost work by voting, *ib.* 2225. 2232. 2256-2287. 2300-2302——Witness went with Captain Dolphin and Mr. Hutton to the poll, and, at the desire of the former, voted for Way and Elton, *ib.* 2229-2243——After witness had polled Mr. Hutton gave him sixpence, and sent him back to his work in a fly, *ib.* 2244-2251.

Witness would have voted for Mr. Tite but for the inducement held out by Captain Dolphin, in regard to finding him work in case he lost his work by voting for Mr. Way, *Dunscombe* 2252-2302——Since the election, witness has been to Captain Dolphin's house about getting work, but did not find him at home, *ib.* 2294-2296.

Witness, who is a Liberal, canvassed Mark Dunscombe for his vote, and he promised it for Tite and Elton; this was a few days before the election, *Moore* 2303-2311—— Witness subsequently heard that Dunscombe had voted for Way and Elton, and spoke to him on the subject, *ib.* 2312, 2313——When witness canvassed Dunscombe, he does not recollect that Dunscombe said anything about his losing work in respect of the way he voted, *ib.* 2314-2340.

Examination relative to a conversation between witness and Dunscombe, when he canvassed him, about some income tax receipts, and about a remark of witness, that he would not mind giving him a pound for his chance of the recovery of the amount from his landlord, *Moore* 2341-2374. 2424. 2434-2438——The landlord had previously effected a seizure of Dunscombe's stock, *ib.* 2343——Examination as to witness having taken away the income tax receipts in order to make some inquiry of the overseer as to the liability of the landlord; the overseer said the amount was not recoverable; *ib.* 2375-2418. 2439-2450——The conversation about the income tax receipts was altogether irrespective of Dunscombe's vote, *ib.* 2419-2421——Circumstance of Dunscombe having said something at the time about his being a poor man, *ib.* 2422-2428——Statement to the effect that he promised his vote freely for Tite and Elton, *ib.* 2429-2433.

Witness had some conversation recently with Mr. Bartrum, but did not tell him that he had always intended to vote for Mr. Way, *Dunscombe* 2451-2458——Object of witness in going to Mr. Bartrum's, *ib.* 2452. 2505-2509——He got some beer from him, which made him partly intoxicated, *ib.* 2456. 2510-2513——It was Mr. Hutton and not a man of the name of Broad, who was with Captain Dolphin when he canvassed witness, *ib.* 2459-2463.

Examination as to what passed between Mr. Moore and witness before the election relative to some income tax receipts which Mr. Moore took away in order to see whether witness could recover the amount from his landlord, *Dunscombe* 2464-2495——Mr. Moore said nothing about giving witness 1 *l.* for his chance of getting back the income tax money, *ib.* 2470. 2474, 2475. 2491-2493——Witness did not tell Mr. Moore he was a poor man, *ib.* 2476——Witness had previously known something of Mr. Moore, *ib.* 2481-2490. 2503, 2504.

Further statement as to Captain Dolphin having told witness that he would find him work, *Dunscombe* 2496-2500——Further reference to the circumstance of witness having called to see Captain Dolphin after the election, *ib.* 2501, 2502——Answer made by witness when Captain Dolphin promised to give him work, *ib.* 2514-2516——Witness voted just as Captain Dolphin pleased, *ib.* 2517, 2518.

A day or two before the election witness was with Captain Dolphin, when he asked Mark Dunscombe to vote for Mr. Way; Dunscombe said he would not promise any one, *Broad* 2519-2529.

About ten days ago Mark Dunscombe came to witness's house, and witness asked him if it was true that he had had anything for voting for Mr. Way; Dunscombe denied

that

Report, 1857—*continued.*

BRIBERY—continued.

I. *Votes for Petitioner*—continued.

3. Cases of Mark Dunscombe and James Dolphin—*continued.*

that he had received anything, and said he had from the first intended to vote for Mr. Way, *Bartrum* 2537-2548——Object of Dunscombe's visit to witness, *ib.* 2541. 2544. 2549-2551——Remarks made by Dunscombe about losing business through having voted for Mr. Way, *ib.* 2543——Circumstance of witness having given Dunscombe a glass or two of beer, *ib.* 2553-2559.

The vote of Mark Dunscombe is struck off the poll of the petitioner, *Ev. p.* 80, and *Rep. p.* iii. xiii.

The vote of James Dolphin is struck off the poll of the petitioner, *Ev. p.* 84, and *Rep. p.* iii. xiii.

Resolution of the Committee that it was proved that Mark Dunscombe was bribed by James Dolphin, by a promise of employment, to vote in favour of Mr. Way, but that it was not proved that such bribery was committed with the knowledge and consent of Mr. Way, *Rep. p.* iii.

II. *Vote of Salvador Marchione for Sitting Member:*

Witness has lived in Bath since 1821; has been at times in straitened circumstances, *Marchione* 2677-2681——Was not specially canvassed for his vote by Mr. John Lewis, or anyone else, *ib.* 2682-2688——On the morning of the polling-day had some bread and cheese at Mr. Lewis's; subsequently voted for Mr. Tite, *ib.* 2688. 2691——Statement to the effect that witness never received 5 *s.* from Mr. Lewis for voting for Mr. Tite, *ib.* 2690 *et seq.*——Witness does not recollect having ever told Mr. Williams that he had received 5 *s.* from Lewis, *ib.* 2694-2701. 2744——Circumstance of witness having received 5 *s.* from Mr. North the day after the election; this was on the score of charity, *ib.* 2713-2725. 2735-2738——Witness has always voted for the Liberals, *ib.* 2735, 2736.

It is decided that the vote of John Lewis for the Sitting Member is a good vote, *Ev. p.* 90.

Bright, Henry. It is decided by the Committee that the vote of Henry Bright for the Sitting Member is a good vote, *Ev. p.* 116, and *Rep. p.* xv, xvi.

Broad, John. (Ayalysis of his Evidence.)—A day or two before the election witness was with Captain Dolphin, when he asked Mark Dunscombe to vote for Mr. Way; Dunscombe said he would not promise any one, 2519-2529——Captain Dolphin took an active part for Mr. Way, whom he seconded at the nomination, 2530-2534.

C.

Cambridge, William. (Analysis of his Evidence.)—On the morning of the election witness saw Joseph Cleall and Mr. James Lester together, the latter having a letter in his hand, 3361, 3362. 3367-3369——Witness himself was canvassed by Mr. Lester for Mr. Tite, but was not influenced by him in any way, 3363-3366. 3384-3387——After the conversation between Mr. Lester and Cleall, the latter spoke to witness about what Mr. Lester had said; he was much irritated and excited, and said he was prevented from voting by the letter produced by Mr. Lester, 3370-3375. 3388, 3389——Mr. Lester also spoke to witness about what had been said, and regretted having asked Cleall for his vote, as it seemed to excite him so much, 3376-3383.

Chapman, Robert. See *Bribery*, I. 2.

Clarke, Francis. The vote of Francis Clarke is struck off the poll of the petitioner, on the ground of non-residence, *Rep. p.* iii. vii.

Clarke, John. John Clarke, voter of Bath, an insolvent, was committed to Taunton Gaol on the 10th February last, and discharged on the 10th March, *Oakley* 1288-1294.

Cleall, Joseph. (Analysis of his Evidence.)—Was in No. 2 Booth on the day of the election, and heard Henry Helps tender his vote for Elton; the name of Tite was not mentioned by him at all, 659-681. 687-689. 703-706——Mr. Cox came to the booth with Helps, and when he was voting took him by the arm, and addressed some remark to him, but witness did not hear it: position of Helps in the booth adverted to hereon, 682-684. 690-693. 699-702——Witness did not tender his vote at all, he was merely in the booth looking on, 685, 686. 694-698——Helps was quite sober when he voted, 707.

[Second Examination.]—Witness, who is a baker, rents several cottages and premises at Bath from a Mr. Williams, whose agent in Bath is Mr. Fisher, a strong Liberal, 3264-3271——Has expended upwards of 300 *l.* on the cottages in repairs, 3269——Has always voted for the Conservatives since the time of the Reform Bill, except at the last election, when he did not vote at all, 3282——Statement as to Mr. James Lester having told witness on the nomination day he had received a letter from Mr. Williams, who

Report, 1857—*continued.*

Cleall, Joseph. (Analysis of his Evidence)—*continued.*

lives in Wales, requesting witness's vote and interest for the Liberal party, 3273–3287. 3320–3324.

Witness had promised to vote for Mr. Way before his meeting with Mr. Lester, 3276, 3277——Reply made by witness to Mr. Lester's communication——3285–3291——At this time witness owed Mr. Williams 40*l.*; 3292. 3352–3355——Remark made by Lester in a threatening way, that witness had "better" vote for Mr. Tite, and "advised" him to do so, 3293, 3294. 3325, 3326——Witness told Mr. Lester decidedly that he would not vote for Mr. Tite, 3295, 3296——Mention of Mr. Cambridge as having been told by witness of the interview with Mr. Lester, 3298. 3309–3319.

Eventually witness did not vote for Mr. Way, through fear of being injured by Mr. Williams in consequence of the threat held out by Mr. Lester, 3299–3301. 3330–3360——Witness took an active interest on behalf of Mr. Way, though he did not vote for him, 3299–3304.

Decided character of witness's political sentiments, 3305, 3306——Witness mentioned to Mr. Charles Reeves and others what Mr. Lester had said, 3307, 3308——Explanation as to witness having, this morning, used some violent language towards Mr. Cox, as having insulted him, 3327–3329——Explanation as to some violent language used by witness at Bath towards the Rev. Mr. Dixon, 3330–3336——Witness denies that he went to vote just after four o'clock, when it was too late, 3342–3347.

Cockle, Charles. The vote of Charles Cockle is struck off the poll of the petitioner on the ground of non-residence, *Rep. p.* iii. viii.

Coleman, John. (Analysis of his Evidence.)—Fishmonger at Bristol, 1057, 1058——Has also had a fishmonger's business at Bath for the last three years, which has been occasionally visited by himself or family, and is worked by his wife's sister and a shopman, 1059–1067. 1084–1088——There was a furnished bed-room in the house for the convenience of witness or his family when they went to Bath from Bristol, 1068–1072. 1084–1090. 1122–1127——On the 25th March witness made over the business to the man who had attended to it; the house however is still in witness's possession, and he is liable for rent and taxes till the 29th September, 1073–1083. 1094–1109——Right of witness after the 25th March to sleep in the house; some of the furniture was removed in the beginning of April, but some is still there, 1079–1081. 1091–1128.

Cooke, Rev. John. (Analysis of his Evidence.)—Is living at Weston-super-Mare for the benefit of his health, but owns a house in Norfolk-crescent, Bath, and resided in it up to Lady-day last, 956, *et seq.*——Went from Weston-super-Mare to Bath on the polling day, in order to vote, and returned the same day, 967–969. 983, 984——Particulars as to the removal of the furniture from Bath to Weston-super-Mare; some of it went so late as the evening before the election, and a few things were then still in the house, 970–996——Witness intends to resume his residence in Bath when he regains his health, 985——His house there is still unlet, and continues in witness's keeping, 986–993——Witness considers that on the day of the election he was a resident of Bath as well as of Weston-super-Mare, 997–1000.

Corbould, Jesse. (Analysis of his Evidence.)—Voted for Tite and Elton, 141, 142——Was living in London at the time of the election, having given up his house in Bath on the 29th September, since which period he has had no residence there, 143–155.

Corbould, Jesse. The Committee have altered the poll, by striking off the name of Jesse Corbould, *Rep. p.* iii.

Costs. Resolution of the Committee not to award costs in the case of Robert Chapman, *Ev. p.* 71, and *Rep. p.* xii.

Cox, William Abraham. (Analysis of his Evidence.)—Surgeon at Bath, 429——Was in the polling-booth when Henry Helps voted; had gone up with him, 430–433——Helps first said that he voted for "Elton;" and then, after a lapse of five or six seconds, added the name of "Tite," 434–439. 442——Neither witness nor any one else said anything to Helps before he added that he voted for Tite, 440, 441.

Further Evidence as to the lapse of time before Helps said he wished to vote for Tite, 443–452. 484–486——Witness brought Helps to the poll, but did not in any way ask him or prompt him in the booth to vote for Tite, 453–461. 475–482——Statement as to witness not having remonstrated with the poll clerk for declining to record the vote for Tite, 464–474——Helps was quite sober when he voted, 483——Mr. Watts, the deputy returning officer, was the person who said that it was too late to take the vote for Tite, 489–494.

Crisp, John. (Analysis of his Evidence.)—Butcher in Newmarket-row, Bath, 1648–1652——In January last was obliged to petition the Insolvent Court, and went to Taunton Gaol, whence he obtained his discharge on the 10th February, 1653–1658. 1707–1710——Arrangement by which witness's business was, during his imprisonment, carried on by his wife and Mr. Hales, the creditor, who took witness's goods in execution; witness's name still continued over the door, and he was liable for the rent, 1660–1732.

Report, 1857—*continued.*

D.

Davis, Francis. The Committee have altered the poll of the Sitting Member, by striking off the name of Francis Davis, *Ev. p.* 8, and *Rep. p.* iii.

Dolphin, Cpatain James. The Committee have altered the poll, by striking off the name of James Dolphin, *Ev. p.* 84, and *Rep. p.* iii. xiii.

See also *Bribery*, I. 2. 3.

Dunscombe, Mark, (Analysis of his Evidence.)—Gardener at Bath, 2199——Had promised before the election to vote for Tite, 2200-2205——Has, on former occasions, voted for the Liberal candidates, 2206-2209——On the day of the election, whilst witness was at work in Mrs. East's garden, Captain Dolphin and Mr. Hutton, clerk to Mr. Bartrum, came to ask him to vote for Way, and Captain Dolphin said he would give witness his work to do; examination hereon, 2210-2236. 2255, *et seq.*——Explanation as to witness having told Captain Dolphin that he had on other occasions lost work by voting, 2225. 2232. 2256-2287. 2300-2302.

Witness went with Captain Dolphin and Mr. Hutton to the poll, and at the desire of the former voted for Way and Elton, 2229-2243——After witness had polled, Mr. Hutton gave him 6 *d.*, and sent him back to his work in a fly, 2244-2251——Witness would have voted for Mr. Tite but for the inducement held out by Captain Dolphin in regard to finding him work in case he lost his work by voting for Mr. Way, 2252-2302——Since the election witness has been to Captain Dolphin's house about getting work, but did not find him at home, 2294-2296.

[Second Examination.] Witness had some conversation recently with Mr. Bartrum, but did not tell him that he had always intended to vote for Mr. Way, 2451-2458——Object of witness in going to Mr. Bartrum's, 2452, 2505-2509——He got some beer from him, which made him partly intoxicated, 2456. 2510-2513——It was Mr. Hutton, and not a man of the name of Broad, who was with Captain Dolphin when he canvassed witness, 2459-2463.

Examination as to what passed between Mr. Moore and witness, before the election, relative to some income tax receipts which Mr. Moore took away in order to see whether witness could recover the amount from his landlord, 2464-2495——Mr. Moore said nothing about giving witness 1 *l.* for his chance of getting back the income tax money, 2470. 2474, 2475. 2491-2493——Witness did not tell Mr. Moore he was a very poor man, 2476——Witness had previously known something of Mr. Moore, 2481-2490. 2503, 2504.

Further statement as to Captain Dolphin having told witness that he would find him work, 2496-2500——Further reference to the circumstance of witness having called to see Captain Dolphin after the election, 2501-2502——Answer made by witness when Captain Dolphin promised to give him work, 2514-2516——Witness voted just as Captain Dolphin pleased, 2517, 2518.

Dunscombe, Mark. The Committee have altered the poll, by striking off the name of Mark Dunscombe, *Rep. p.* iii. xiii.

See also *Bribery*, I. 3.

E.

Employment, Promise of. See *Bribery*, I. 3.

English, Alban Huddleston. (Analysis of his Evidence.)—Solicitor at Bath, 2883——Was appointed by the mayor as deputy at No. 6 Polling Booth, Walcot, 2884, 2885——Refusal of witness to receive the vote of Mr. Robinson, as given in on a card, instead of orally, 2886-2889. 2895. 2909-2915——Discussion with Mr. Robinson in regard to his christian names, only one of which appeared on the register; considerable irritation displayed by him on this point, to which he refused to give a direct answer, 2890-2895. 2909. 2916-2919. 2933-2937.——Remark of Mr. Robinson, that he did not care a damn who he voted for, 2895. 2912.

Circumstance of Mr. Robinson having come a second time to the booth with some papers, in order to prove his names; entry eventually of his vote, at witness's suggestion, as having been tendered for Mr. Way, 2896-2902. 2920-2932——Impression that Mr. Robinson's card bore the name of Way only, and that he subsequently tendered his vote only for him, 2897-2906. 2913, 2914——Witness treated Mr. Robinson with great forbearance, and was anything but rude towards him, 2911——Mr. Robinson seemed a very eccentric old gentleman, and very excitable, 2933-2937.

F.

Fletcher, John. (Analysis of his Evidence.)—Painter, living in Claremont-buildings, Bath, 1768, 1769.——Is well acquainted with John Russell, plasterer, living at Old Orchard, Walcot-street, 1770-1774——On several occasions before the election, Russell told

Report, 1857—*continued.*

Fletcher, John. (Analysis of his Evidence)—*continued.*

witness that he was going to vote for Tite and Elton; examination hereon, 1775–1785. 1816–1855——Conversation of witness with Russell, a few days after the election, when Russell said he had been so bothered, that he had voted for Way and Elton, and had half a side of bacon presented to him; examination hereon, 1786–1815. 1845, *et seq.*

Statement as to George Phillips having been present when Russell said he had had half a side of bacon, 1792, 1793. 1903–1921——It was not stated by Russell at any time from whom he had received the bacon, or why it was given, 1794–1802. 1813, 1814——On one occasion Russell said he had been obliged to vote for Way because his wife had told him, 1803–1807. 1815. 1890–1902——Witness voted for Tite and Elton, 1808, 1809——Witness did not open the conversation about the bacon, or say he had had any himself, 1810, 1811——Remark of witness to Russell on the first occasion that he was not a man of his word, 1856–1879.——A few days after the first conversation about the bacon, witness and Russell again mentioned the subject of the bacon, 1866–1874.

Circumstances under which witness gave information to Mr. North, secretary of the Liberal Association, of what Russell said about the bacon; a letter was written to witness on the subject by Mr. North, who had heard of the matter from others, 1880–1885. 1932–1939. 1966–1982——Two or three days after witness had heard there was to be a scrutiny, he mentioned to a few persons, one of whom was a man of the name of Nicholls, what he had heard from Russell, 1886–1889. 1922–1931. 1940–1965.

Floor, John Henry. (Analysis of his Evidence.)—Was poll clerk for Mr. Way at the Walcot booth, 1525. 1550–1554——John Vaughan voted for Tite and Elton in respect of premises in Monmouth-street, 1526–1529.——Belief that Vaughan long before the election had left the houses in Charles-street and Westgate-street, where he resided, as well as the premises in Monmouth-street, 1530–1549. 1555–1558——Witness saw Vaughan in Bristol more than a year ago, 1559–1561——He is about five feet eight inches in height, 1562.

Franks, William. (Analysis of his Evidence.)—Has been living at Brynmawr, in Monmouthshire, since August last, when he gave up the house which he occupied in Bath, 156, 157. 162–171——Voted at the late election for Bath for Tite and Elton, 158–161.

Franks, William. The Committee have altered the poll by striking off the name of William Franks, *Rep. p.* iii.

G.

George, Philip. (Analysis of his Evidence.)—Town-clerk of Bath, 3——Produces the register of voters which was in force at the last election; explanation thereon, 4–17.

Gerrish, Edward. (Analysis of his Evidence.)—Is cousin of Thomas Lewis, of Bathford, and occupied a house under him in Bath, for the rent of which a distraint was put in last Autumn, 907–912—— On the 22d September witness went to live with his cousin, but left his house in December on visits to some friends, and was away till a short time before the election, 912–934——In going to visit his friends, witness left several of his things at Bathford, and always intended to return thither as to his home, 918–921. 950–955——His return to Bathford in March was on account of business connected with the settlement of his affairs, and not in order to vote at the election, 934–939.

See *Non-Residence,* II. 3.

Giles, Samuel. The vote of Samuel Giles is struck off the poll of the Sitting Member on the ground of non-residence, *Rep. p.* iii. viii.

Goodridge, Henry. (Analysis of his Evidence.)—Is the agent for the owner of the house No. 19, Henrietta-street, Bath, formerly occupied by Mr. Walmsley, 708–712——On December the 3d, 1856, Mr. Walmsley last paid rent to witness for the house; this was for the quarter up to Christmas; he then said he was going to reside at Brighton, 713–720——Letter from Mr. Walmsley, dated Brighton, 12th December; about this date witness took possession of the house, 721–729——On the polling-day witness saw Mr. Walmsley in Bath, who said he had just been to vote, 730–735.

Green, Daniel Thomas. The vote of Daniel Thomas Green is struck off the poll for the Sitting Member, on the ground of having since 31st July 1856, and previous to voting, received parochial relief, *Rep. p.* iii. viii.

H.

Hawkins, William Henry. (Analysis of his Evidence.)—Is agent for Mr. Milsom, owner of Milsom-buildings, Bristol, 1563–1567——John Vaughan and family have occupied the house No. 3, Milsom-buildings, since some time before Christmas last, 1568–1581. 1587–1591——Vaughan is in the iron or zinc trade, 1570, 1571. 1585, 1586——He is about six feet high, 1577. 1582–1584.

Report, 1857—*continued.*

Hawkins, Mary. (Analysis of her Evidence.)—Is wife of Mr. Milsom's agent at Bristol, 1592, 1593——John Vaughan, zinc maker, came to Milsom-buildings about a house in October last, which he subsequently took; he said he had left Bath, and that he had a wife and family, 1594–1609. 1623, 1624. 1627–1631——Until this morning witness always thought the woman who lived with Vaughan was his wife, 1610–1612. 1626——Circumstances under which witness saw Mrs. Vaughan this morning; she told witness that her husband had deserted her, 1613–1621. 1625. 1632, 1633.

Helps, Henry. (Analysis of his Evidence.)—Beer-house keeper at Bath, 348, 349——Went to the booth in New King-street to vote for Elton and Tite; had a piece of paper with him with their names upon it, 350–356——On being asked for whom he voted, he replied, for "Elton," and then, after a pause of about two seconds, added the word, "Tite;" paused merely whilst he thought they were writing down the first name, 356–362. 367–375. 423——The poll clerk said that witness's vote for Tite came too late, and declined to record it; witness did not remonstrate with him on the subject, 363–366. 421–424——Circumstance of witness having once been in prison on a charge of having received stolen goods, 376–393. 425–428——Mr. Cox went with witness to the poll, but did not say anything to him in the booth about voting for Tite, 394–420.

See *Rejected Votes*, I. 2.

Hutton, Mr. See *Bribery*, I. 3.

I.

Insolvents. Mention of several voters of Bath, who, as insolvents, were in custody of witness in Taunton Gaol for different periods in the beginning of the year, *Oakley* 1002–1014. 1277–1298——These insolvents, who were all discharged by order of the County Court Judge sitting in insolvency, might possibly have got out upon bail, *ib.* 1299–1302.

Intimidation. See *Undue Influence.*

J.

James, Abraham. (Analysis of his Evidence.)—Shoemaker, now living in London, 2570–2573——Used to live in Walcot, Bath, where he still holds the house under agreement, 2574–2576. 2619, 2620——Went from London to Bath to vote at the late election; had his travelling expenses paid, 2577–2579——First came to London in November 1855, leaving his wife and family at Bath, who joined him in February 1856; 2580–2583. 2625, 2626——When witness came to London, he intended to return to Bath, and kept three rooms there and his furniture, 2584–2587. 2621–2624.

Some time before Michaelmas 1856, witness took his furniture out of the rooms at Bath, and let the rooms to one of the lodgers in the house, 2587–2596. 2627–2638. 2660–2676——The greater portion of the furniture was removed to London in 1856, but some of it is still in Bath in charge of witness's brother, 2597–2601. 2613–2618. 2639–2642——Witness still contemplates returning to Bath, 2598, 2599. 2641, 2642——The house in Bath is now all let out in apartments, 2602, 2603——Witness has occasionally gone from London to his brother's at Bath, on business, 2604–2612.

Witness first came to London to a situation, but has recently commenced work on his own account, 2643–2647——Since March 1856 witness has paid rent quarterly in London, 2648–2659——Witness cannot recollect in what month in 1856 he first received rent for the rooms vacated by his wife and family at Bath, 2660–2676.

K.

King, Charles. (Analysis of his Evidence.)—Was registered in 1856 for a house in Chatham-row, Bath, which belonged to himself, 1221. 1224——Voted for Mr. Tite at the late election, 1222, 1223——Removed from Bath to Castle Combe in December 1855, and from Castle Combe to Hatton in October 1856; 1225–1228. 1236–1241——Witness never slept in his house in Bath since he left it in 1855, but up to the 27th of April last there were two rooms unlet in the house, with some of witness's furniture in them, which rooms he should have occupied, if necessary, 1229–1276.

Kirby, William Slade. (Analysis of his Evidence.)—Was check clerk for Mr. Tite at the polling-booth where Mr. English presided as deputy, 2938, 2939——Refusal of Mr. English to record the vote of Mr. Robinson, as given in, written down, 2939–2944——Refusal of Mr. Robinson to answer Mr. English's question as to his being the Henry Robinson described on the register, 2944–2954——Mr. Robinson did not tender his vote on this occasion, 2955——On a second occasion Mr. Robinson came to the booth in a very excited state, and said, "Mind, I vote for Way," 2956–2960.

Third visit of Mr. Robinson to the booth, when he brought some papers, in order to establish his christian names; he did not tender his vote on this occasion, but, at Mr. English's suggestion, the poll clerk entered it as a tendered vote for Mr. Way, 2961–2980——Witness

Report, 1857—*continued.*

Kirby, William Slade. (Analysis of his Evidence)—*continued.*

——Witness got 10*s.* as check clerk, 2981——Mr. Sparrow, lawyer's clerk, was the mayor's poll clerk, 2982–2987——Question as to the words which passed when Mr. English said Mr. Robinson's vote should be taken down as having been tendered, 2988–3004.

L.

Lester, James. See *Undue Influence.*

Lewis, George. The vote of George Lewis for the petitioner, is struck off the poll, as having been improperly recorded, *Ev. p.* 116, and *Rep. p.* iii.

Lewis, John. See *Bribery* II.

Lewis, Mary. (Analysis of her Evidence.)—Is wife of a farmer at Bathford, to whom Edward Gerrish, formerly butcher at Bath, is cousin, 778–781——In September last Gerrish was in arrear of rent for the house rented by him in Walcot-buildings, Bath, from witness's husband, who seized his goods, and after retaining possession of the house for a short time, let it to another tenant, 782–794——Gerrish subsequently came to stay with witness and her husband at Bathford, and has no other home; particulars hereon as to his having been absent for some time on visits to friends; he left several of his things behind at Bathford, 795–843.

Lewis, Thomas. (Analysis of his Evidence.)—Farmer at Bathford; is cousin of Edward Gerrish, 844, 845——Particulars as to witness having seized Gerrish's goods for rent on account of a house in Walcot-buildings, which he held under witness; the house was, after a time, let to another tenant, 846–861——Extent to which Gerrish was in debt, besides his arrears of rent, 854, 855. 882–895——After Gerrish was sold up, he came to live with witness, whose house has since been his home, 862–873. 896–903——Gerrish left Bathford at Christmas to visit different friends, and returned some time in March; doubt as to what things belonging to him were left at Bathford when he went to stay with his friends, 869–881. 904–906.

Lovewell, Wesley. (Analysis of his Evidence.)—Was check clerk at the election at No. 5 Booth, 277——Was in the booth when William Batchelor recorded his vote, 278, 279——On being asked for whom he voted, Batchelor first gave the name of "Way," and, after a lapse of about a minute at the most, added the name of Tite; no one spoke to him in the meantime, 280–306.

M.

Marchione, Salvador. (Analysis of his Evidence.)—Has lived in Bath since 1821; has been at times in straitened circumstances, 2677–2681——Was not specially canvassed for his vote by Mr. John Lewis, or any one else, 2682–2688——On the morning of the polling-day had some bread and cheese at Mr. Lewis's; subsequently voted for Mr. Tite, 2688. 2691——Statement to the effect that witness never received 5*s.* from Mr. Lewis for voting for Mr. Tite, 2690 *et seq.*——Witness does not recollect having ever told Mr. Williams that he had received 5*s.* from Lewis, 2694–2701. 2744——Circumstance of witness having received 5*s.* from Mr. North the day after the election; this was on the score of charity, 2713–2725. 2735–2738——Witness has always voted for the Liberals, 2735, 2736.

Marchione, Salvador. The Vote of Salvador Marchione is struck off the poll of the Sitting Member, on the ground that since the 31st July 1856 and the time of voting he had received parochial relief, *Rep. p.* iii. viii.

Moore, Charles. (Analysis of his Evidence.)—Witness, who is a Liberal, canvassed Mark Dunscombe for his vote, and he promised it for Tite and Elton; this was a few days before the election, 2303–2311——Witness subsequently heard that Dunscombe had voted for Way and Elton, and spoke to him on the subject, 2312, 2313——When witness canvassed Dunscombe, he does not recollect that Dunscombe said anything about his losing work in respect of the way he voted, 2314–2340.

Examination relative to a conversation between witness and Dunscombe, when he canvassed him, about some income tax receipts, and about a remark of witness, that he would not mind giving him a pound for his chance of the recovery of the amount from his landlord, 2341–2374. 2424. 2434–2438——The landlord had previously effected a seizure of Dunscombe's stock, 2343——Examination as to witness having taken away the income tax receipts in order to make some inquiry of the overseer as to the liability of the landlord; the overseer said the amount was not recoverable, 2375–2418. 2439–2450.

The conversation about the income tax receipts was altogether irrespective of Dunscombe's vote, 2419–2421. Circumstance of Dunscombe having said something at the time about his being a poor man, 2422–2428——Statement to the effect that he promised his vote freely for Tite and Elton, 2429–2433.

Moore,

Report, 1857—*continued.*

Moore, George Bingfield. (Analysis of his Evidence.)—Has resided for three years at No. 9, St. Mary's-buildings, Bath, 205, 206——No person of the name of William Moore has ever lived at No. 9, St. Mary's-buildings, or at any other house in the buildings, 207. 218, 219. 225–230——After witness had tendered his vote for Elton and Tite the poll clerk referred to the register, in which witness's name appeared as William Moore; witness said he was the person represented on the register, 208–218. 231——Witness did not know till some time after the election that his vote was not taken, 220–232——Circumstance of witness not having previously discovered that his name was not properly entered on the register, 221–223. 233, 234.

Moore, William. The Committee have altered the poll, by adding thereto the name of William Moore, *Rep. p.* iii.

N.

Naylor, James Richard. (Analysis of his Evidence.)—Chief Clerk in the Crown Office, 1 ——Produces the writ and return for the last election for Bath, 2——Also the poll-books, *ib.*

NON-RESIDENCE:

I. *Voters for Mr. Tite:*

1. Edwin Bartlett.
2. John Coleman.
3. Jesse Corbould.
4. William Franks.
5. Abraham James.
6. Charles King.
7. Thomas Phillips.
8. John Vaughan.

II. *Voters for Mr. Way:*

1. Reverend John Cooke.
2. John Crisp.
3. Edward Gerrish.
4. Jesse Stamp.
5. William Henry Walmsley.
6. Joseph White.

I. *Voters for Mr. Tite:*

1. Edwin Bartlett:

Witness was formerly an innkeeper in Bath; gave up the business in January last, *Bartlett* 1129–1132——On leaving Bath in January, witness went into furnished lodgings at Twerton, near Bath; he went to Sidmouth for about three weeks in March, and returned to Twerton or Bath the day before the election, *ib.* 1133–1143. 1158–1168. 1178. 1186–1188. 1201–1209. 1216–1220——On leaving Bath witness left one of his children and some furniture in care of a man named Huntley, who was ostler at his inn; witness had no room or residence at Huntley's, and never slept there, *ib.* 1144–1157. 1164–1175. 1183–1185. 1190–1196——When witness left Bath he intended to return; he stayed there some time after the election, *ib.* 1189–1202.

The vote of Edwin Bartlett is struck off the poll, *Ev. p.* 41, and *Rep. p.* iii.

2. John Coleman:

Witness is a fishmonger at Bristol; has also had a fishmonger's business at Bath for the last three years, which has been occasionally visited by himself and family, and is worked by his wife's sister and a shopman; *Coleman,* 1057–1067. 1084–1088——There was a furnished bed-room in the house for the use of witness and his family when they went to Bath from Bristol, *ib.* 1068–1072. 1084–1090. 1122–1127——On the 25th of March, witness made over the business to the man who had attended to it; the house, however, is still in witness's possession, and he is liable for rent and taxes till the 29th September, *ib.* 1073–1083. 1094–1109——Right of witness, after the 25th of March, to sleep in the house; some of the furniture was removed in the beginning of April, but some is still there; *ib.* 1079–1081. 1098–1128.

It is decided that the vote of John Coleman, for the Sitting Member, is a good vote, *Ev. p.* 38.

3. Jesse Corbould:

Witness voted for Tite and Elton, *Corbould,* 141, 142——Was living in London at the time of the election, having given up his house in Bath on the 29th September, since which period he has had no residence there, *ib.* 143–155.

The vote of Jesse Corbould is struck off the poll, *Ev. p.* 6, and *Rep. p.* iii.

NON-RESIDENCE—continued.

I. *Voters for Mr. Tite*—continued.

4. William Franks:

Witness has been living at Brynmawr, in Monmouthshire, since August last, when he gave up the house which he previously occupied in Bath, *Franks* 156, 157. 162–171——Voted at the late election for Tite and Elton, *ib.* 158–161.

The vote of William Franks is struck off the poll, *Ev. p.* 6, and *Rep. p.* iii.

5. Abraham James:

Witness used to live in Walcot, Bath, where he still holds the house under agreement, *James*, 2574–2576. 2619–2620——Went from London to Bath to vote at the late election; had his travelling expenses paid, *ib.* 2577–2579——First came to London in November 1855, leaving his wife and family at Bath, who joined him in February, 1856, *ib.* 2580–2583. 2625, 2626——When witness came to London he intended to return to Bath, and kept three rooms there, and his furniture, *ib.* 2584–2587. 2621–2624——Some time before Michaelmas 1856, witness took his furniture out of the rooms at Bath, and let the rooms to one of the lodgers in the house, *ib.* 2587–2596. 2627–2638. 2660–2676——The greater portion of the furniture was removed to London in 1856, but some of it is still in Bath, in charge of witness's brother, *ib.* 2597–2601. 2613–2618. 2639–2642.

Witness still contemplates returning to Bath, *James* 2598, 2599. 2641, 2642——The house in Bath is now all let out in apartments, *ib.* 2602, 2603——Witness has occasionally gone from London to his brother's at Bath, on business, *ib.* 2604–2612——Witness first came to London to a situation, but has recently commenced work on his own account, *ib.* 2643–2647——Since March 1856, witness has paid rent quarterly in London, *ib.* 2648–2659——Witness cannot recollect in what month in 1856 he first received rent for the rooms vacated by his wife and family at Bath, *ib.* 2660–2676.

The vote of Abraham James for the Sitting Member is decided to be good, *Ev. p.* 88.

6. Charles King:

Witness was registered in 1856 for a house in Chatham-row, Bath, which belonged to himself, *King* 1221–1224——Voted for Mr. Tite, *ib.* 1222, 1223——Removed from Bath to Castle Combe in December 1855, and from Castle Combe to Halton in October 1856, *ib.* 1225–1228. 1236–1241——Witness never slept in his house in Bath since he left it in 1855; but up to the 27th April last there were two rooms unlet in the house, with some of Witness's furniture in them, which rooms he should have occupied, if necessary, *ib.* 1229–1276——Since witness left in 1855 he has occasionally slept at his daughter's house in Bath, *ib.* 1243–1247.

It is decided that the vote of Charles King for the Sitting Member is a good vote, *Ev. p.* 43.

7. Thomas Phillips:

Witness voted for Mr. Tite, in respect of a house in St. John's-place, Bath, *T. Phillips*, 1303, 1304——Left the house in St. John's-place about the end of October last, *ib.* 1304–1309. 1431–1438——Removed with his children, five in number, and furniture, to a large room in a neighbouring house at Trim Bridge, *ib.* 1310. 1359–1374. 1439–1446——On removing from the house in St. John's-place left a few things there not in the nature of furniture, *ib.* 1311–1339.

Examination as to witness, who is a tailor, having left his room at Trim Bridge, and gone to Newport on one occasion, and to Monmouth and Birmingham on another occasion, for work; on each occasion he returned to the place, at Bath, where he had left his children, and which he looked upon as his home, *T. Phillips* 1340 *et seq.*——Witness came from Birmingham to Bath, in order to vote, and intending to return; but finding work at Bath, has remained there since; his travelling expenses were paid from Birmingham to Bath, and back again, *ib.* 1401–1411, 1420–1423——Rent paid by witness for the room at Trim Bridge, *ib.* 1454–1464.

The voter, Thomas Phillips, told witness, who is assisting the solicitor for the petitioner, that when he came from Birmingham to vote, he had work there, to which he might return, and that but for the election he should not have come to Bath, *Barry* 1461–1463.

The vote of Thomas Phillips for the Sitting Member is decided to be a good vote, *Ev. p.* 49.

8. John Vaughan:

On the 7th instant, witness went to No. 3, Milsom-buildings, Bath, in order to serve John Vaughan with a Speaker's warrant, but did not succeed in finding him, *Barry* 1464–1480——A woman, with whom Vaughan resided and cohabited when at Bath, told witness when at Bristol, that Vaughan was at Liverpool, *ib.* 1467–1470——Vaughan is an ironmonger or blacksmith, *ib.* 1481–1486——Statement as to Vaughan having long since

NON-RESIDENCE—continued.

I. *Voters for Mr. Tite*—continued.

8. John Vaughan—*continued.*

since left the house in Westgate-street, Bath, in which he used to reside; witness has not seen him in Bath for a year and a half, *Barry* 1487–1498. 1502–1524——There is a Mrs. Vaughan in Bath; she has been summoned as a witness, *ib.* 1488–1491. 1499–1508——The premises held by Vaughan in Monmouth-street have been let to some one else, *ib.* 1515–1517——Vaughan's name was over the door in Bristol, *ib.* 1522.

John Vaughan voted for Tite and Elton in respect of premises in Monmouth-street, *Floor* 1526–1529——Belief that Vaughan long before the election had left the houses in Charles-street and Westgate-street, where he resided, as well as the premises in Monmouth-street, *ib.* 1530–1549. 1555–1558——Witness saw Vaughan in Bristol more than a year ago, *ib.* 1559–1561——He is about five feet eight inches in height, *ib.* 1562.

Witness is agent for Milsom, owner of Milsom-buildings, Bristol, *W. H. Hawkins* 1563–1567——John Vaughan and family have occupied the house, No. 3, Milsom-buildings, since some time before Christmas last, *ib.* 1568–1581. 1587–1591——Vaughan is in the iron or zinc trade, *ib.* 1570, 1571. 1585, 1586——He is about six feet high, *ib.* 1577. 1582–1584.

Witness is wife of Mr. Milsom's agent, *Mary Hawkins* 1592, 1593——John Vaughan, zinc maker, came to Milsom's-buildings about a house in October last, which he subsequently took; he said he had left Bath, and that he has a wife and family, *ib.* 1594–1609. 1623, 1624. 1627–1631——Until this morning, witness always thought the woman who lived with Vaughan was his wife, *ib.* 1610–1612. 1626——Circumstances under which witness saw Mrs. Vaughan this morning; she told witness that her husband had deserted her, *ib.* 1613–1621. 1625. 1632, 1633.

A woman representing herself as Mrs. Vaughan, living in Charles-street, Bath, told witness she had not spoken to her husband for five years; she has been served with a warrant and brought to London as a witness, but on her own entreaty has not been examined, *Williams* 1634–1641.

Witness served Mrs. Vaughan, in Charles-street, Bath, with the Speaker's warrant, he understood she was living there quite alone, *Barry* 1642–1647.

The vote of John Vaughan is struck off the poll, *Ev. p.* 55, and *Rep. p.* iii.

II. *Voters for Mr. Way:*

1. Reverend John Cooke:

Witness is living at Weston-super-Mare for the benefit of his health, but owns a house in Norfolk-crescent, Bath, and resided in it up to Lady-day last, *Cooke* 956 *et seq.*——Went from Weston-super-Mare to Bath on the polling-day in order to vote and returned on the same day, *ib.* 967–969. 983, 984——Particulars as to the removal of the furniture from Bath to Weston-super-Mare; some of it went as late as the evening before the election, and a few things were then still in the house, *ib.* 970–996——Witness intends to resume his residence in Bath when he regains his health, *ib.* 985——The house there is still unlet and continues in witness's keeping, *ib.* 986–993——Witness considers that on the day of the election he was a resident of Bath as well as of Weston-super-Mare, *ib.* 997–1000.

It is decided that the vote of Mr. Cooke for the petitioner is a good vote, *Ev. p.* 34.

2. John Crisp:

Statement as to John Crisp having been received into Taunton Gaol as an insolvent on the 26th January last, and discharged on the 10th February, *Oakley* 1277–1287.

Witness is a butcher at Newmarket-row, Bath, *Crisp* 1648–1652——In January last, was obliged to petition the Insolvent Court, and went to Taunton Gaol, whence he obtained his discharge on the 18th February, *ib.* 1653–1658. 1707–1710——Arrangement by which witness's business was, during his imprisonment carried on by his wife and Mr. Hales, the creditor who took witness's goods in execution; witness's name still continued over the door, and he was liable for the rent, *ib.* 1660–1732.

It is decided that the vote of John Crisp for the petitioner is a good vote, *Ev. p.* 57.

3. Edward Gerrish:

Witness is wife of a farmer at Bathford, to whom Edward Gerrish, formerly butcher at Bath, is cousin, *Mary Lewis* 778–781——In September last Gerrish was in arrear of rent for the house rented by him in Walcot-buildings, Bath, from witness's husband, who seized his goods, and after retaining possession of the house for a short time, let it to another tenant, *ib.* 782–794——Gerrish subsequently came to stay with witness and her husband at Bathford, and has no other home; particulars hereon as to his having been absent for some time on visits to friends; he left several of his things behind at Bathford, *ib.* 795–843.

Report, 1857—*continued.*

NON-RESIDENCE—continued.

II. *Voters for Mr. Way*—continued.

3. Edward Gerrish—*continued.*

Witness is a farmer at Bathford; is cousin of Edward Gerrish, *Thomas Lewis* 844, 845——Particulars as to witness having seized Gerrish's goods for rent due from a house in Walcot-buildings, which he held under witness; the house was after a time let to another tenant, *ib.* 846–861——Extent to which Gerrish was in debt besides his arrears of rent, *ib.* 854, 855. 882–895——After Gerrish was sold up he came to live with witness, whose house has been his home, *ib.* 862–873. 896–903——Gerrish left Bathford at Christmas to visit different friends, and returned some time in March; doubt as to what things belonging to him were left at Bathford, when he went to stay with his friends, *ib.* 869–881. 904–906.

Witness is cousin of Thomas Lewis, of Bathford, and occupied a house under him in Bath, for the rent of which a distraint was put in last autumn, *Gerrish* 907–912——On the 22d September witness went to live with his cousin, but left his home in December to visit some friends, and was away till a short time before the election, *ib.* 912–934——In going to visit his friends witness left several of his things at Bathford, and always intended to return thither as to his home, *ib.* 918–921. 950–955——His return to Bathford in March was on account of business connected with the settlement of his affairs, and not in order to vote at the election, *ib.* 934–939.

It is decided that the vote of Edward Gerrish for the petitioner is a good vote, *Ev. p.* 32.

4. Jesse Stamp:

The voter, Jesse Stamp, was in the custody of witness, who is Governor of Taunton Gaol, as an insolvent debtor, from the 21st January to the 18th February last, *Oakley* 1002–1014.

Witness is a builder; formerly lived in Bath, *Stamp* 1015–1018——Explanation as to witness's stock in trade, &c. having been sold under a bill of sale in August last; and as to witness having with his wife and family gone to live with his mother at Dunkerton, near Bath, with whom they stayed till the 25th March last, *ib.* 1019–1038. 1048–1054——Circumstance of witness having taken the benefit of the Insolvent Act, and having been obliged to go to Taunton Gaol in January last for three weeks, *ib.* 1034–1037. 1051–1053——In the month of March witness removed, with his family, into a cottage which he took at Dunkerton, *ib.* 1038–1040. 1054, 1055——Witness paid thirty shillings on account of a bill due by his mother, in consideration of her lodging him and his family; he found food for his family, *ib.* 1041–1047. 1050——He never intended to leave the neighbourhood of Bath, *ib.* 1056.

The vote of Jesse Stamp is struck off the poll, *Ev. p.* 36, and *Rep. p.* iii. x.

5. William Henry Walmsley:

Witness is the agent for the owner of the house No. 19, Henrietta-street, Bath, formerly occupied by Mr. Walmsley, *Goodridge* 708–712——On the 3d of December 1856, Mr. Walmsley last paid rent to witness for the house; this was for the quarter up to Christmas; he then said he was going to reside at Brighton, *ib.* 713–720——Letter from Mr. Walmsley, dated Brighton, 12th December; about this date witness took possession of the house, *ib.* 721–729——On the polling day, witness saw Mr. Walmsley in Bath, who said he had just been to vote, *ib.* 730–735.

Witness used to live in Henrietta-street, Bath; left the house on the 5th December 1856, *Walmsley* 736–739. 757, 758—— Left his furniture at Bath, in a warehouse, for which he agreed to pay 12 *l.* a year, and in which he might have slept, if necessary, at any time, *ib.* 741–751. 766–771. 775–775——Removed with his family to Brighton, and now occupies a residence there into which he has removed his furniture, *ib.* 752–754. 767. 772–775——Was at Bath on business for a few days before the election, and slept at a friend's house there, *ib.* 755–763.

The vote of William Henry Walmsley is struck off the poll, *Ev. p.* 27, and *Rep. p.* iii.

6. Joseph White:

Witness is a licensed victualler at Bristol; used to live in James's-street, in Bath, *White* 1733–1735——Took the house at Bristol in December last, but did not then move there altogether; left his furniture in Bath up to the time of the election, and was there himself every week, *ib.* 1736–1747. 1763–1767——Was put into the County Court by Mr. Edward Welton for a debt of 5 *l.* or 6 *l.*, which was paid in February last to an order of the Court; never told Mr. Welton that the furniture in James's-street belonged to his (witness's) mother, *ib.* 1747–1762.

The vote of Joseph White is decided to be good, *Ev. p.* 58.

See also *Aylmer, Thomas Brabazon. Breadman, Daniel. Clarke, Francis. Cockle, Charles. Giles, Samuel. Pearce, Edward. Reynolds, William. Smith, John. Smith, William. Wood, Joseph.*

O.

Oakley, Williams. (Analysis of his Evidence.)—Governor of Taunton Gaol, 1001——The voter, Jesse Stamp, was in witness's custody as an insolvent debtor from the 21st January to the 18th February last, 1002–1014.

[Second Examination.]—Statement as to John Crisp having been received into Taunton Gaol, as an insolvent, on the 26th January last, and discharged on the 10th February, 1277–1287——John Clarke, an insolvent, was committed to the gaol on the 10th February last, and discharged on the 10th March, 1288–1294——James Parsons, an insolvent, was likewise committed on the 10th February and discharged on the 10th March 1295–1298——The foregoing insolvents, who were all discharged by order of the County Court Judge, sitting in insolvency, might, possibly, have got out upon bail, 1299–1302.

P.

Parochial Relief. See *Green, Daniel Thomas. Marchione, Salvador.*

Parsons, James. James Parsons, voter of Bath, an insolvent, was committed to Taunton Gaol on the 10th February and discharged on the 10th March, *Oakley* 1295–1298.

Pearce, Edward. The vote of Edward Pearce is struck off the poll of the Sitting Member on the ground of non-residence, *Rep. p.* iii. vii.

Pearce, John. (Analysis of his Evidence.)—Was the returning officer at No. 5 Booth at the last election, 307——Particulars as to witness having, after the usual questions had been asked, recorded the vote of William Batchelor for Mr. Way, 308–322——Impression that Batchelor gave in a card with his name and number, 310–313. 341, 342——Circumstance of Batchelor having, after the lapse of fully a minute, said that he voted also for Tite; after voting for Way, he turned to go away, and witness thought he had left, 323–328. 336–340——Mr. Wintle, the deputy returning officer, said that Batchelor's vote had already been recorded, and that he could not then vote also for Tite, 329–332——Witness made an entry of the tender of the vote for Tite, 333–335——Witness, who is clerk to the town clerk, never thanked any voter in the booth for supporting Mr. Way, 343–347.

Phillips, George. (Analysis of his Evidence.)—Painter at Bath, 1983, 1984——Is acquainted with John Fletcher and John Russell, 1985–1987——A few days after the election, Fletcher and witness met Russell, who said Mr. King and others of Mr. Way's party had so bored him that he had voted for Way and Elton, and subsequently said he had got half a side of bacon, 1988–2008. 2021–2031——Doubt whether Russell's remark about the bacon was said seriously or jokingly; impression that he was serious, 2009–2023——He did not say from whom he received the bacon, and what for, 2024–2031——Witness mentioned the conversation to two or three persons, 2032–2034.

Phillips, Thomas. (Analysis of his Evidence.)—Voted for Mr. Tite in respect of a house in St. John's-place, Bath, 1303, 1304——Left the house in St. John's-place about the end of October last, 1304–1309. 1436–1438——Removed, with his children, five in number, and furniture, to a large room in a neighbouring house at Trim Bridge, 1310. 1359–1374. 1439–1446——On removing from the house in St. John's-place, left a few things there, not in the nature of furniture, 1311–1339.

Examination as to witness, who is a tailor, having left his room at Trim Bridge, and gone to Newport on one occasion, and to Monmouth, and Birmingham on another occasion, for work; on each occasion he returned to the place at Bath, where he had left his children, and which he looked upon as his home, 1340 *et. seq.*——Witness came from Birmingham to Bath in order to vote, and intending to return, but finding work at Bath, has remained there since; his travelling expenses were paid from Birmingham to Bath, and back again, 1401–1411. 1420–1423——Rent paid by witness for the room at Trim Bridge, 1454–1464.

Poll Books. Witness produces the poll-books for the last election for Bath, *Naylor* 2.

Poll Clerks. Witness, who was mayor's poll clerk at Booth No. 5, Walcot, and is clerk to the town clerk, never thanked any voters in the booth for supporting Mr. Way, *Pearce* 343–347——Mr. Sparrow, poll clerk at one of the booths, is clerk to Mr. Towning, who was an active supporter of Mr. Way, *Billington* 3127–3129.

Proceedings of the Committee. Rep. p. iv–xvi.

R.

Reeves, William Edward. (Analysis of his Evidence.)—Was poll clerk for Mr. Way at No. 2 Booth, 93, 94——Was in the booth when Benjamin Bailey voted for Way and Elton; so recorded the vote in his book, 95–100. 135–140——Circumstances under which witness discovered after the election that the mayor's return did not include

Report, 1857—*continued.*

Reeves, William Edward. (Analysis of his Evidence)—*continued.*

Bailey's vote for Mr. Way, 101-112——Explanation as to witness having found, in the polling-booth, Mr. Way's card as delivered in by Bailey, 113-122——Bailey gave in only one card; he kept the other in his hand, 115. 123-125——Witness did not watch the mayor's poll clerk record the votes, 126-134.

[Second Examination.]—Witness remembers Henry Helps polling for Sir Arthur Elton, and so recorded his vote in his book after it had been recorded by the returning officer, 555-559. 565, 566. 576-578——Hesitation of Helps, on being asked for whom he voted, before he said "Elton"; he never said subsequently "and Tite," 560-564. 567-570. 573-575. 579-588. 606——Witness was an active supporter of Mr. Way, 571, 572. 609——Statement as to Mr. Cox having stood close by the side of Helps when he voted, and having taken him by the arm, and asked him to add the words "and Tite," 582-601——No one remonstrated at the vote not being recorded for Tite, 602-605——Mr. Cox was an active partisan of Elton and Tite, 607, 608.

Register of Voters. Witness produces the register of voters which was in force at the last election; explanation thereon, *George* 4-17.

REJECTED VOTES:

I. *Votes tendered for Mr. Tite:*

1. William Batchelor.
2. Henry Helps.
3. William Moore.
4. John Perry Sinclair.
5. Joseph Perry Sinclair.

II. *Votes tendered for Mr. Way:*

1. Henry Eleazar Robinson.
2. Francis Yerbury.

I. *Votes tendered for Mr. Tite:*

1. William Batchelor:

Witness went to No. 5 Polling-booth, intending to vote for Way and Tite, *Batchelor* 237-239. 273-276——Before voting, witness was asked the usual questions, and his name and residence were taken down; he had no card with him, *ib.* 239-247. 272——On being asked for whom he voted, witness said "Way," and then after a short pause, whilst the poll clerk was putting down the first vote, added the word "Tite," *ib.* 248-276——No one spoke to witness during the interval before he added the name of Tite, *ib.* 254——The poll clerk said witness could not record a vote for Tite, as it was not given at the same moment as the vote for Way; witness remonstrated, but to no purpose, *ib.* 255-257.

Witness was check clerk at No. 5 Booth, *Lovewell* 277——Was in the booth when William Batchelor recorded his vote, *ib.* 278, 279——On being asked for whom he voted, Batchelor first gave the name of "Way," and after a lapse of about a minute, at the most, added the name of "Tite;" no one spoke to him in the meantime, *ib.* 280-306.

Witness was the returning officer at No. 5 Booth, *Pearce* 307——Particulars as to witness having, after the usual questions had been asked, recorded the vote of William Batchelor for Mr. Way, *ib.* 308-322.——Impression that Batchelor gave in a card with his name and number, *ib.* 310-313. 341, 342——Circumstance of Batchelor having, after the lapse of fully a minute, said, that he voted also for Tite; after voting for Way he turned to go away, and witness thought he had left, *ib.* 323-328. 336-340——Mr. Wintle, the deputy returning officer, said, that Batchelor's vote had already been recorded, and that he could not then vote also for Tite, *ib.* 329-332——Witness made an entry of the tender of the vote for Tite, *ib.* 333-335.

The vote of Batchelor is not added to the poll of the Sitting Member, *Ev. p.* 13.

Refusal of the Committee to re-open Batchelor's case, as applied for by counsel for Sitting Member, *Rep. p.* ix.

2. Henry Helps:

Witness went to the booth in New King-street to vote for Elton and Tite; had a piece of paper with him with their names upon it, *Helps* 350-356——On being asked for whom he voted, he replied, for "Elton," and then, after a pause of about two seconds, added the word "Tite;" paused merely whilst he thought they were writing down the first name, *ib.* 356-362, 367-375, 423——The poll clerk said that witness's vote for Tite came too late, and declined to record it; witness did not remonstrate with him upon the subject, *ib.* 363-366, 421-424——Circumstance of witness having once been in prison on a charge of having received stolen goods, *ib.* 376-393, 425-428——Mr. Cox went with witness to the poll, but did not say anything to him in the booth about voting for Tite, *ib.* 394-420.

Witness

Report, 1857—*continued.*

Rejected Votes—continued.

I. *Votes tendered for Mr. Tite*—continued.

2. Henry Helps—*continued.*

Witness was in the polling-booth when Henry Helps voted; had gone up with him, *Cox* 430-433——Helps first said that he voted for "Elton," and then, after a lapse of five or six seconds, added the name of "Tite," *ib.* 434-439. 442——Neither witness nor any one else said anything to Helps before he added that he voted for Tite, *ib.* 440, 441.

Further evidence as to the lapse of time before Helps said he wished to vote for Tite, *Cox* 453-461. 475-482——Statement as to witness not having remonstrated with the poll clerk for declining to record the vote for Tite, *ib.* 464-474——Helps was quite sober when he voted, *ib.* 483——Mr. Watts, the deputy returning officer, was the person who said it was too late to take the vote for Tite, *ib.* 489-494.

Witness was check clerk for Sir Arthur Elton at No. 2 Booth, at which Henry Helps voted, *Taylor* 495, 496. 503, 504. 539-541——On Helps being asked for whom he voted, he said, for "Elton," and then paused for about a quarter of a minute, and said, "and for Tite," *ib.* 497-500——No one spoke to Helps in the interval before he added the words, "and for Tite," *ib.* 501, 502. 538. 545-551——Witness, as check clerk, did not put down the vote for Tite, because it was not recorded by the returning officer, *ib.* 503-511——The returning officer said the vote was too late; there was no remonstrance raised, *ib.* 512-515. 534-536——Occasional confusion and hesitation of voters on being asked by the poll clerk for whom they voted, *ib.* 528-532. 544——When Helps voted he was unwell, but was quite sober, *ib.* 531, 532. 537. 552-554.

Witness remembers Henry Helps polling for Sir Arthur Elton, and so recorded his vote in his book, after it had been recorded by the returning officer, *Reeves* 555-559. 565, 566. 576-578——Hesitation of Helps on being asked for whom he voted, before he said "Elton;" he never said subsequently, "and Tite," *ib.* 560-564. 567-570. 573-575. 579-588. 606——Statement as to Mr. Cox having stood close by the side of Helps when he voted, and having taken him by the arm, and asked him to add the words "and Tite," *ib.* 582-601——No one remonstrated at the vote not being recorded for Tite, *ib.* 602-605.

Witness was mayor's poll clerk at No. 2 Booth at the last election, *Watts* 610——To the best of witness's recollection Henry Helps tendered his vote for Elton only, that is, as witness recorded it, and did not add after a pause that he voted for Tite also, *ib.* 611-622. 626, 627.

Witness was check clerk at No. 2 Booth, *Simmons* 628——Recollects the polling of Henry Helps; he tendered his vote for Mr. (Sir Arthur) Elton, but never mentioned the name of Tite at all, *ib.* 621-640. 661-666——Mr. Cox was close to Helps, and took him by the arm, and asked him why he did not vote for Tite, *ib.* 641-659——Mr. Cox and Helps left the booth together, and nothing was said about the vote not being recorded for Tite, *ib.* 667, 668.

Witness was in No. 2 Booth on the day of the election, and heard Henry Helps tender Elton; the name of Tite was not mentioned by him at all, *Cleall* 669-681. 687-689. 703-706——Mr. Cox came to the booth with Helps, and when he was voting took him by the arm, and addressed some remark to him, but witness did not hear it; position of Helps in the booth adverted to hereon, *ib.* 682-684. 690-693. 699-702——Witness did not tender his vote at all, he was merely in the booth looking on, *ib.* 685, 686. 694-698——Helps was quite sober when he voted, *ib.* 707.

The vote of Helps is not added to the poll of the Sitting Member, *Ev. p.* 24.

3. William Moore:

Witness has resided for three years at No. 9, St. Mary's-buildings, Bath, *G. B. Moore* 205, 206——No person of the name of William Moore has ever lived at No. 9, St. Mary's-buildings, or at any other house in the buildings, *ib.* 207. 218, 219. 225-230——After witness had tendered his vote for Elton and Tite, the poll clerk referred to the register in which witness's name appeared as William Moore; witness said he was the person represented on the register, *ib.* 208-218. 231——Witness did not know till some time after the election that his vote was not taken, *ib.* 220. 232——Circumstance of witness not having previously discovered that his name was not properly entered on the register, *ib.* 221-223. 233, 234.

The vote of George Bingfield Moore, that is of William Moore, as on the register, is added to the poll of the Sitting Member, *Ev. p.* 9, and *Rep. p.* iii.

4. John Perry Sinclair:

Witness resides at 21, Walcot-buildings, Bath, next door to his brother Joseph Perry Sinclair, who resides at No. 20, *John P. Sinclair* 172-176——Particulars as to witness having tendered his vote for Tite and Elton, and as to some conversation having taken place at the time about a mistake in the number of the house in which he lived; his name was taken down, and the mistake was promised to be rectified, *ib.* 177-204.

Report, 1857—*continued.*

REJECTED VOTES—continued.

I. *Votes tendered for Mr. Tite*—continued.

4. John Perry Sinclair—*continued.*

The vote of John Perry Sinclair is added to the poll of the Sitting Members, *Ev. p.* 8, and *Rep. p.* iii.

5. Joseph Perry Sinclair:

The vote of Joseph Perry Sinclair is added to the poll of the Sitting Members, on the same ground as the vote of John Perry Sinclair, *Ev. p.* 8, and *Rep. p.* iii.

II. *Votes tendered for Mr. Way:*

1. Henry Eleazar Robinson:

Witness is a minister of the Independent denomination; is nearly 73 years old, *Robinson* 2794-2796——Has resided in the same house at Bath for the last two years, *ib.* 2797——On the morning of the election, witness went to the polling-booth at Walcot and tendered his vote for Way and Elton, having written their names on a card which he handed in, *ib.* 2798-2803. 2812. 2817-2830. 2872-2874——He wrote the names of Way and Elton on his card, because his memory is bad, *ib.* 2802. 2812.

Refusal of the poll clerk or deputy mayor to receive witness's vote in the way he tendered it, on the ground that his name appeared on the register as Henry Robinson; indignation felt by witness, who confesses to an excitable temperament, at this refusal, it having been accompanied with much rudeness, *Robinson* 2802-2809. 2831 *et. seq.*——Reply of witness when those in the booth asked him his name, *ib.* 2809——Witness repeated that he voted for Way and Elton, *ib.* 2810-2813——On the refusal to record the vote, witness left the booth, and subsequently returned with the baptismal register, &c., in order to prove his real name, *ib.* 2814-2816.

Further reference to the rude treatment experienced by witness in the polling-booth when his card and vote were refused, *Robinson* 2830-2848. 2856-2859. 2868-2871——Examination as to what passed on witness's visit to the booth when he brought the papers to prove his names, *ib.* 2867-2869. 2875-2882——Circumstance of witness having, before he brought the papers, gone a second time to the booth, and said "Mind, I vote for Way," *ib.* 2851-2866.

Witness was appointed by the mayor as deputy, at No. 6 Polling-booth, Walcot, *English* 2884, 2885——Refusal of witness to receive the vote of Mr. Robinson, as given in on a card instead of orally, *ib.* 2886-2889. 2895. 2909-2915——Discussion with Mr. Robinson in regard to his christian names, only one of which appeared on the register; considerable irritation displayed by him on this point, to which he refused to give a direct answer, *ib.* 2916-2919. 2933-2937——Remark of Mr. Robinson that he "did not care a damn who he voted for," *ib.* 2895-2912.

Circumstance of Mr. Robinson having come a second time to the booth with some papers, in order to prove his names; entry eventually of his vote, at witness's suggestion, as having been tendered for Mr. Way, *English* 2896-2902. 2920-2932——Impression that Mr. Robinson's card bore the name of Way only, and that he subsequently tendered his vote only for him, *ib.* 2897-2906. 2913, 2914——Witness treated Mr. Robinson with great forbearance, and was anything but rude towards him, *ib.* 2911——Mr. Robinson seemed a very eccentric old gentleman, and very excitable, *ib.* 2933-2937.

Witness was check clerk for Mr. Tite at the polling booth where Mr. English presided as deputy, *Kirby* 2938, 2939——Refusal of Mr. English to record the vote of Mr. Robinson as given in, written down, *ib.* 2939-2944——Refusal of Mr. Robinson to answer Mr. English's question as to his being the Henry Robinson described on the register, *ib.* 2944-2954——Mr. Robinson did not tender his vote on this occasion, *ib.* 2955——On a second occasion Mr. Robinson came to the booth in a very excited state, and said "Mind, I vote for Way," *ib.* 2956-2960.

Third visit of Mr. Robinson to the booth, when he brought some papers in order to establish his christian names; he did not tender his vote on this occasion, but at Mr. English's suggestion, the poll clerk entered it as a tendered vote for Mr. Way, *Kirby* 2961-2980——Mr. Sparrow, lawyers' clerk, was the mayor's poll clerk, *ib.* 2982-2987——Question as to the words which passed when Mr. English said Mr. Robinson's vote should be taken down as having been tendered, *ib.* 2988-3004——Witness did not hear Mr. English advise Mr. Robinson to tender his vote, nor say he was satisfied that Mr. Robinson was the party on the register, *ib.*

Witness acted as check clerk for Elton and Tite, at No. 6 Booth, Walcot, *Billington* 3005-3011. 3073-3076——Statement as to Mr. Robinson having come to this booth and thrown down a paper as explaining for whom he voted, which paper the returning officer Mr. English declined to receive; rage of Mr. Robinson on this occasion, *ib.* 3012-3041——Belief that Mr. Robinson said nothing at all on his first visit to the booth; there was no discussion about his christian names being different from the entry in the register; there

Report, 1857—*continued.*

Rejected Votes—continued.

II. *Votes tendered for Mr. Way*—continued.

1. Henry Eleazar Robinson—*continued.*

there was no reference to the registry on the subject, *ib.* 3022-3041. 3084-3106. 3130-3149——Witness did not hear Mr. Robinson say "he did not care a damn" whether he voted or not, *ib.* 3030-3034. 3040, 3041——Second visit of Mr. Robinson to the booth when he merely said "Mind, I vote for Way," *ib.* 3042-3047.

Third visit to the booth, when he brought a lot of papers in order to prove his name; discussion on this occasion as to his identity, and as to his name appearing inaccurately on the register, *Billington* 3048-3059. 3098-3117. 3130, 3131——Mr. Robinson did not on this occasion make any tender of his vote, but at the suggestion of Mr. English the poll clerk entered it as a tender for Mr. Way, *ib.* 3060-3077——Witness never heard Kirby, check clerk for Mr. Tite, apply the term "old woman" to Mr. Robinson, *ib.* 3099-3103——Impression made on witness at the time by Mr. Robinson's conduct; he has only recently been called upon for information on the subject, *ib.* 3118-3124. 3133, 3134.

Mr. Robinson did not seem to care much about his vote being taken at all, *Billington* 3125, 3126——Witness did not hear Mr. English say he was satisfied that Mr. Robinson was the party intended by the register, *ib.* 3132-3134——He did not hear Mr. Robinson mention the name of Way, except on his second visit to the booth, *ib.* 3135-3149——The version of Mr. English may well be taken as correct; his conduct altogether was most courteous and impartial, *ib.* 3137, 3138. 3150-3154.

Witness was subpœnaed by Mr. Tite, *Sparrow* 3156——Objection made to the vote of Mr. Robinson when he first came to the polling-booth, on the ground that his name was not correctly returned on the register, *ib.* 3159-3164——Tender by Mr. Robinson, of his vote for Way and Elton; doubt how he made this tender, whether by card or orally, *ib.* 3163. 3218-3222. 3236-3246——Anger of Mr. Robinson on the occasion of his name and designation being questioned, *ib.* 3163. 3175.

Mr. Robinson came a second time to the booth, bringing a certificate of his baptism, and tendered his vote for Way and Elton, *Sparrow*, 3165-3172. 3183-3203——Exchange of some words between the returning officer and Mr. Robinson, on the second visit of the latter, *ib.* 3173-3177——On the first occasion witness asked Mr. Robinson his name, and whether he was the party on the register; impression as to his having replied to this question, *ib.* 3178, 3179. 3204-3216. 3222-3226——Examination relative to witness's entry of Mr. Robinson's vote as a tendered vote; objections raised which prevented his recording the vote in the usual way, *ib.* 3180, *et seq.*——Question as to the entry having been made on the first or second visit of Mr. Robinson; it was completed as a tender of his vote on the second occasion, *ib.* 3181-3191. 3246-3250——Reference to some conversation between Mr. English, Mr. Kirby and witness, upon the question of receiving the vote, *ib.* 3251-3263.

The vote of Henry Eleazar Robinson is not added to the poll of Mr. Way, *Ev. p.* 110, and *Rep. p.* xv.

2. Francis Yerbury:

Witness has occupied a house in Larkhall-place, Bath, between two and three years, *Yerbury* 2745-2753——No person of the same name as witness lives in Larkhall-buildings, opposite Larkhall-place, *ib.* 2749-2755——Particulars as to witness having tendered his vote for Mr. Way, and as to its having been refused on the technical objection, that his residence appeared on the register as Larkhall-buildings instead of Larkhall-place, *ib.* 2756-2793——Mr. English, solicitor and deputy mayor in the booth, said at the time that witness's vote was perfectly good, *ib.* 2769. 2773——Witness was aware before going to the polling-booth that his address was wrong, *ib.* 2781-2784.

The vote of Francis Yerbury is added to the poll of Mr. Way, *Ev. p.* 92, and *Rep. p.* iii.

Revision of List of Voters. The Committee decide that cases not objected to before the Revising Barrister, and where no change of circumstances had since occurred, should not be gone into, *Ev. p.* 43.

Reynolds, William. The vote of William Reynolds is struck off the poll of the petitioner, on the ground of non-residence, *Rep. p.* iii. viii.

Robinson, Henry Eleazar. (Analysis of his Evidence.)—Minister of the Independent denomination; is nearly 73 years old, 2794-2796——Has resided in the same house at Bath for the last two years, 2797——On the morning of the election witness went to the polling booth at Walcot, and tendered his vote for Way and Elton, having written their names on a card, which he handed in, 2798-2803. 2812. 2817-2830. 2872-2874——Witness wrote the names of Way and Elton on his card, because his memory is bad, 2802. 2812.

Report, 1857—*continued.*

Robinson, Henry Eleazar. (Analysis of his Evidence)—*continued.*

Refusal of the poll clerk or deputy mayor to receive witness's vote in the way he tendered it, on the ground that his name appeared on the register as Henry Robinson; indignation felt by witness, who confesses to an excitable temperament, at this refusal, it having been accompanied with much rudeness, 2802-2809. 2831 *et seq.*——Reply of witness when those in the booth asked him his name, 2809——Witness repeated that he voted for Way and Elton, 2810-2813——On the refusal to record the vote witness left the booth, and subsequently returned with the baptismal register, &c., in order to prove his real name, 2814-2816.

Further reference to the rude treatment experienced by witness in the polling booth when his card and vote were refused, 2830-2848. 2856-2859. 2868-2871——Examination as to what passed on witness's visit to the booth, when he brought the papers to prove his names, 2848-2850. 2867-2869. 2875-2882——Circumstance of witness having, before he brought the papers, gone a second time to the booth and said, "Mind, I vote for Way," 2851-2866.

See *Rejected Votes*, II. 1.

Russell, John. (Analysis of his Evidence.)—Voted for Elton and Way, 2035——Did not receive any bacon, or anything else, on account of his vote, 2036, 2037——Recollects a meeting with John Fletcher and George Phillips a few days after the election, at which they said something about witness having had a side of bacon for his vote; remark of witness in jest, 2038. 2055-2058. 2064——Witness did not promise Fletcher, or anyone else, that he would vote for Tite, 2039-2045. 2049-2054——Mr. King, of Milsom-street, urged him on the polling day to vote; he was ill in bed at the time, but got up to vote, 2042-2047——Fletcher did not say to witness that he was not a man of his word, 2059-2063——Witness did not tell Fletcher that his wife had had the bacon; there was, in fact, no bacon in the house at the time, 2065-2068.

See *Bribery*, I. 1.

Russell, Rosanna. (Analysis of her Evidence.)—Witness did not receive any bacon from anyone at the time of the last election, 2069——Particulars as to several persons having called to ask witness's husband for his vote, 2070-2083——Witness was not asked by Mr. Way's friends to get her husband's vote for Mr. Way; when they called in his absence, they merely left a card, 2084-2087.

S.

Simmons, Richard. (Analysis of his Evidence.)—Was check clerk at No. 2 Booth, 628——Recollects the polling of Henry Helps; he tendered his vote for "Mr." (Sir Arthur) Elton, but never mentioned the name of Tite at all, 621-640. 661-666——Mr. Cox was close to Helps, and shook him by the arm, and asked him why he did not vote for Tite, 641-659——Mr. Cox and Helps left the booth together, and nothing was said about the vote not being recorded for Tite, 667, 668.

Sinclair, John Perry. (Analysis of his Evidence.)—Resides at 21, Walcot-buildings, Bath, next door to his brother, Joseph Perry Sinclair, who resides at No. 20; 172-176——Particulars as to witness having tendered his vote for Tite and Elton, and as to some conversation having taken place at the time about a mistake in the number of the house in which he lived; his name was taken down, and the mistake was promised to be rectified, 177-204.

Sinclair, John Perry, and Joseph Perry Sinclair. The Committee have altered the poll by adding thereto the names of John Perry Sinclair and Joseph Perry Sinclair, *Rep. p.* iii.

Smith, John. The Committee have altered the poll by striking off the name of John Smith, on the ground of non-residence, *Ev. p.* 8, and *Rep. p.* iii. v.

Smith, William. The vote of William Smith is struck off the poll of the Sitting Member, on the ground of non-residence, *Rep. p.* iii. vii.

Sparrow, Benjamin Brooker. (Analysis of his Evidence.)—Was poll clerk at one of the booths at the last election; was appointed by the returning officer, 3155. 3157. 3158——Was subpœnaed by Mr. Tite, 3156——Objection made to the vote of Mr. Robinson when he first came to the polling-booth, on the ground that his name was not correctly returned on the register, 3159-3164——Tender by Mr. Robinson of his vote for Way and Elton; doubt how he made this tender, whether by card or orally, 3163. 3218-3223. 3236-3246—— Anger of Mr. Robinson on the occasion of his name and designation being questioned, 3163. 3175.

Mr. Robinson came a second time to the booth, bringing a certificate of his baptism, and tendered his vote for Way and Elton, 3165-3172. 3183-3203——Exchange of some words between the returning officer and Mr. Robinson, on the second visit of the latter, 3173-3177——On the first occasion witness asked Mr. Robinson his name, and whether he

Report, 1857—*continued.*

Sparrow, Benjamin Brooker. (Analysis of his Evidence)—continued.

he was the party on the register; impression as to his having replied to this question, 3178, 3179. 3204–3216. 3222–3226.

Examination relative to witness's entry of Mr. Robinson's vote, as a tendered vote; objections raised which prevented his recording the vote in the usual way, 3180 *et seq.* ——Question as to the entry having been made on the first or second visit of Mr. Robinson; it was completed, as a tender of his vote, on the second occasion, 3181–3191. 3246–3250——Reference to some conversation between Mr. English, Mr. Kirby and witness, upon the question of receiving the vote, 3251–3263.

Stamp, Jesse. (Analysis of his Evidence.)—Builder; formerly lived in Bath, 1015–1018 ——Explanation as to witness's stock in trade, &c., having been sold under a bill of sale in August last, and as to witness having, with his wife and family, gone to live with his mother at Dunkerton, near Bath, with whom they stayed till the 25th March, 1019–1038. 1048–1054——Circumstance of witness having taken the benefit of the Insolvent Act, and having been obliged to go to Taunton Gaol in January, for three weeks, 1034–1037. 1051–1053——On the 25th of March witness and his family removed into a cottage, which he took at Dunkerton, 1038–1040. 1054, 1055——Witness paid 30*s.* on account of a bill due by his mother, in consideration of her lodging him and his family; he found food for his family, 1041–1047. 1050——Witness never intended to leave the neighbourhood of Bath, 1056.

Stamp, Jesse. The Committee have altered the poll, by striking off the name of Jesse Stamp, *Ev. p.* 36, and *Rep. p.* iii.

Stoyles, Henry. (Analysis of his Evidence.)—Tailor at Bath, 2088–2090——Knows Robert Chapman, who is a butcher in a very small way, 2091–2095——On the Wednesday before the election saw Captain Dolphin, Captain Haviland and Mr. Bartrum at Mr. Way's committee-room, and, in consequence of a communication from them, went to ask Chapman for his vote for Mr. Way; but Chapman said a better man must come to him, 2096–2111——Captain Dolphin and witness went subsequently to Chapman's shop, and the latter, when asked for his vote, said he was a very poor man, and Captain Dolphin remarked that a bullock would look well in his shop, 2112–2135——On the Saturday following, which is market-day, Chapman had more beef in his shop than he usually had, 2135–2146.

Some five or six weeks after the election witness met Chapman at Hoare's public-house, and asked him, jokingly, whether he had received 5 *l.* for his vote, or whether he had got a whole bullock or a part of one; anger of Chapman on this occasion; witness cannot recollect the details of what passed, 2147–2179. 2198——Witness took the Conservative side at the election, 2157, 2158——About a week ago, witness again saw Chapman at a public-house, and they had some joking about Chapman's vote, and about coming to London, 2180–2190. 2195–2197——Witness has not been in communication with Mr. Williams, or any of the Conservative party, since the election, 2191–2194.

T.

Taylor, John. (Analysis of his Evidence.)—Was check clerk for Sir Arthur Elton at No. 2 Booth, at which Henry Helps voted, 495, 496. 503, 504. 539–541——On Helps being asked for whom he voted, he said "for Elton," and then paused for about a quarter of a minute, and said, "and for Tite," 497–500——No one spoke to Helps in the interval before he added the words "and for Tite," 501, 502. 538. 545–551——Witness, as check clerk, did not put down the vote for Tite, because it was not recorded by the returning officer, 503–511.

The returning officer said the vote was too late; there was no remonstrance raised, 512–515. 534–536——Part taken by witness at former elections, 516–527——Occasional confusion and hesitation of voters on being asked by the poll clerk for whom they voted, 528–532. 543, 544——When Helps voted he was unwell, but was quite sober, 531, 532. 537. 552–554.

Tendered Votes. See *Rejected Votes.*

Tite, Mr., M. P. Resolution of the Committee, that William Tite, Esq., is duly elected, *Rep. p.* iii.

Travelling Expenses. Witness received his travelling expenses from Sidmouth for going to Bath to vote; he went to Bath on account of the election, *Bartlett* 1179–1182. 1210–1213.

Treating. Abandonment by counsel for the petitioner of the allegations of treating, *Rep. p.* iv.

Report, 1857—*continued.*

U.

Undue Influence. Witness, who is a baker, rents several cottages and premises at Bath from a Mr. Williams, whose agent in Bath is Mr. Fisher, a strong Liberal, *Cleall* 3264–3271——Has expended upwards of 300 *l.* on the cottages in repairs, *ib.* 3269——Has always voted for the Conservatives since the time of the Reform Bill, except at the last election, when he did not vote at all, *ib.* 3282.

Statement as to Mr. James Lester having told witness on the nomination day that he had received a letter from Mr. Williams, who lives in Wales, requesting witness's vote and interest for the Liberal party, *Cleall* 3273–3287. 3320–3324—— Witness had promised to vote for Mr. Way before his meeting with Mr. Lester, *ib.* 3276, 3277——Reply made by witness to Mr. Lester's communication, *ib.* 3285–3299——At this time witness owed Mr. Williams 40 *l.*; *ib.* 3292. 3352–3355——Remark made by Lester, in a threatening way, that witness had "better" vote for Mr. Tite, and "advised" him to do so, *ib.* 3293, 3294. 3325, 3326——Witness told Mr. Lester, decidedly, that he would not vote for Mr. Tite, *ib.* 3295, 3296——Mention of Mr. Cambridge as having been told by witness of the interview with Mr. Lester, *ib.* 3298. 3309–3319.

Eventually witness did not vote for Mr. Way, through fear of being injured by Mr. Williams, in consequence of the threat held out by Mr. Lester, *Cleall* 3299–3301. 3330–3360——Witness mentioned to Mr. Charles Reeves, and others, what Mr. Lester had said, *ib.* 3307, 3308 ——Explanation as to witness having this morning used some violent language towards Mr. Cox, as having insulted him, *ib.* 3327–3329——Explanation as to some violent language used by witness at Bath towards the Reverend Mr. Dixon, *ib.* 3330–3336——Witness denies that he went to vote just after four o'clock, when it was too late, *ib.* 3342–3347.

On the morning of the election, witness saw Joseph Cleall and Mr. James Lester together, the latter having a letter in his hand, *Cambridge* 3361, 3362. 3367–3369—— Witness himself was canvassed by Mr. Lester for Mr. Tite, but was not influenced by him in any way, *ib.* 3363–3366. 3384–3387——After the conversation between Mr. Lester and Cleall, the latter spoke to witness about what Mr. Lester had said; he was much irritated and excited, and said he was prevented from voting by the letter produced by Mr. Lester, *ib.* 3370–3375. 3388, 3389——Mr. Lester also spoke to witness about what had been said, and regretted having asked Cleall for his vote, as it seemed to excite him so much, *ib.* 3376–3383.

It is decided that the vote of James Lester for the Sitting Member is a good vote, *Ev. p.* 116.

V.

Vaughan, John. The Committee have altered the poll, by striking off the name of John Vaughan, *Rep. p.* iii.

See also *Non-residence*, I. 8.

W.

Walmsley, William Henry. (Analysis of his Evidence.)—Used to live in Henrietta-street, Bath; left the house on the 5th December 1856; 736–739. 757, 758——Left his furniture at Bath in a warehouse, for which he agreed to pay 12 *l.* a year, and in which he might, if necessary, have slept at any time, 741–751. 766–771. 775–777——Removed with his family to Brighton, and now occupies a residence there, into which he has moved his furniture, 752–754. 767. 772–775——Was at Bath on business for a few days before the election, and slept at a friend's house there, 755–763.

Walmsley, William Henry. The Committee have altered the poll, by striking off the name of William Henry Walmsley, *Rep. p.* iii.

Watts, George. (Analysis of his Evidence.)—Was mayor's poll clerk in No. 2 Booth at the last election, 610——To the best of witness's recollection, Henry Helps tendered his vote for Elton only, that is as witness recorded it, and did not add, after a pause, that he voted for Tite also, 611–622. 626, 627——Circumstance of witness having made a mistake in recording the vote of Benjamin Bailey for Tite, instead of for Way, 623–625.

White, Joseph. (Analysis of his Evidence.)—Licensed victualler at Bristol; used to live in James's-street, Bath, 1733–1735——Took the house at Bristol in December last, but did not then move there altogether; left his furniture in Bath up to the time of the election, and was there himself every week, 1736–1747. 1763–1767——Was put into the County Court by Mr. Edward Wetton for a debt of 5 *l.* or 6 *l.*, which was paid in February last to an order of the court; never told Mr. Wetton that the furniture in James's-street was his (witness's) mother's, 1747–1762.

Report, 1857—*continued.*

Williams, Isaac. (Analysis of his Evidence.)—A woman representing herself as Mrs. Vaughan, living in Charles-street, Bath, told witness she had not spoken to her husband for five years; she has been served with a warrant, and brought to London as a witness, but on her own entreaty has not been examined, 1634–1641.

Wood, Joseph. The vote of Joseph Wood is struck off the poll of the petitioner on the ground of non-residence, *Rep. p.* iii. viii.

Writ and Return. Witness produces the writ and the return for the last election for Bath, *Naylor* 2.

Wrongly Recorded Votes. Witness promised before the election to vote for Way and Elton, *Bailey* 19–23——Voted at No. 2 Booth for Way and Elton on the afternoon of the polling day, *ib.* 24–28. 53–59——Before the election witness had received one of Mr. Way's cards, and a card of Elton and Tite, but had had the name of Tite struck out of the latter card, *ib.* 29–37. 78, 79——Witness handed the cards to the poll clerk, and said he voted for Way and Elton; the card of the latter was returned to witness, and Way's card only retained, *ib.* 38–42. 45–77. 87, 88——Shortly after the election witness said he had voted for Way and Elton, *ib.* 43, 44——Witness saw the poll clerk write down his name in the poll-book, *ib.* 80–90.

Witness was poll clerk for Mr. Way at No. 2 Booth, *Reeves* 93, 94——Was in the booth when Benjamin Bailey voted for Way and Elton; so recorded the vote in his book, *ib.* 95–100. 135–160——Circumstances under which witness discovered after the election that the mayor's return did not include Bailey's vote for Mr. Way, *ib.* 101–112——Explanation as to witness having found in the polling-booth Mr. Way's card as delivered in by Bailey, *ib.* 113–122——Bailey gave in only one card, he kept the other in his hand, *ib.* 115. 123–125——Witness did not watch the mayor's poll clerk record the votes, *ib.* 126–134.

Circumstance of witness, who was mayor's poll clerk, having made a mistake in recording the vote of Benjamin Bailey for Tite, instead of for Way, *Watts* 623–625.

The Committee strike Bailey's vote off the poll of Mr. Tite, and add it to the poll of Mr. Way, *Ev. p.* 5, and *Rep. p.* iii.

See also *Lewis, George.*

Y.

Yerbury, Francis. (Analysis of his Evidence.)—Has occupied a house in Larkhall-place, Bath, between two and three years, 2745–2753——No person of the same name as witness lives in Larkhall-buildings, opposite Larkhall-place, 2749–2755——Particulars as to witness having tendered his vote for Mr. Way, and as to its having been refused on the technical objection that his residence appeared on the register as Larkhall-buildings, instead of Larkhall-place, 2756–2793.

Yerbury, Francis. The Committee have altered the poll, by adding thereto the name of Francis Yerbury, *Rep. p.* iii.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BATH CITY ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE,
AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
4 *August* 1857.

[*Price* 1 *s.* 8 *d.*]

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BEVERLEY BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
5 *August* 1857.

Mercurii, 29° *die Julii*, 1857.

NAMES of the Members appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Beverley:—

Thomas William Evans (Derby, S.)	Lieut.-Colonel Brownlow Knox (Marlow).
J. Hodgetts Foley, Esq.	Stearne Ball Miller, Esq.

Chairman, JOHN ABEL SMITH, Esq.

Jovis, 30° *die Julii*, 1857.

Ordered, That the Petitions and Lists relative to the said Election be referred to the Committee.

Ordered, That the Committee do meet To-morrow, in one of the Committee Rooms of the House, at Eleven of the clock.

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MINUTES OF EVIDENCE - - - - - - - - - - p. 1

REPORT.

BEVERLEY BOROUGH ELECTION COMMITTEE.

Lunæ, 3° *die Augusti*, 1857.

THE HOUSE informed, that the Committee had determined,—

That Edward Auchmuty Glover, Esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Beverley.

That the last Election for the said Borough, so far as regards the Return of Edward Auchmuty Glover, Esquire, is a void Election.

House further informed, that the Committee had agreed to the following Resolution:—

That the said Edward Auchmuty Glover, Esquire, made and signed Declarations in the form prescribed by 1 & 2 Vict. c. 48, sections 3 and 6; and that it is the unanimous opinion of the Committee, that the Evidence taken before them should be laid before the Attorney-General, with a view to further proceedings being taken with reference to such Declarations.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 31° *die Julii*, 1857.

NAMES of the Members called over;—All present.

Room cleared, and Committee deliberated.

The Committee agreed to the following Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. The Committee reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any Principal or Agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not reasonably be supposed to have been previously cognisant.

4. The Committee reserve to themselves a discretionary power generally upon any cases which may arise.

5. That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the Agents, whose names shall be handed in, without the special leave of the Committee.

6. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

7. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

8. That if the leading Counsel are not prepared to sum up the case on either side when the Evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Parties called in, and informed of the above Resolutions.

The Beverley Election Petition was read.

Counsel for Petitioner, Mr. *James*, Mr. *Welsby*, Mr. *Gordon Allan*.

Agents, Mr. *Coppock*, Mr. *Leeman*.

Counsel for the Sitting Member, Mr. *Slade*, Mr. *Tindal Atkinson*, Mr. *Dunbar*.

Agents, Mr. *S. M. Crosse*, Mr. *C. Wright*, Mr. *Isaac Williams*, Mr. *W. S. Wreghitt*.

Mr. *James* was heard to open the case of the Petitioner.

James Richard Naylor sworn; examined, and produced writ, return, and poll-books for last election for the borough of Beverley.

William Fox Clark, sworn; examined by Mr. *Welsby*.

On the question being put, "Did you serve a notice upon Mr. Glover previous to the Election, requiring a declaration as to qualification?" Mr. *T. Atkinson* objected to the question, on the ground that the document produced was not the real notice, but a copy thereof. The *Committee* decided that the question might be put.

Cross-examined by M. *T. Atkinson*; re-examined by Mr. *James*.

A certified copy of vesting order was produced; also an attested copy of schedule of Edward Glover.

George Annesley, sworn; examined by Mr. *Welsby*.

On

On the question being put relative to a marriage settlement, requiring its production, the witness declined to produce the document in question.

The room was cleared, and the Committee deliberated.

Parties called in, and informed that the Committee decided that the marriage settlement need not be produced at present.

John Rawson Turner, sworn; examined by Mr. *Welsby*.

A compared copy of the marriage settlement was put in.

William Nicholson, sworn; examined by Mr. *Welsby*.

William Counsel, sworn; examined by. Mr. *Welsby*.

Henry Bathurst, sworn; examined by Mr. *Welsby*.

Charles Tucker, sworn; examined by Mr. *Welsby*.

Francis Omanney, sworn; examined by Mr. *Welsby*; cross-examined by Mr. *Tindal Atkinson*; re-examined by Mr. *James*; and put in documents.

Philip Champion Toker, sworn; examined by Mr. *James*; cross-examined by Mr. *Slade*; re-examined by Mr. *James*.

Charles Brereton, sworn; examined by Mr. *James*.

On question, "Had you heard, in the course of that day, that Mr. Glover's qualification would be a matter of dispute?" Mr. *Tindal Atkinson* was heard to object to the question as being hearsay evidence.

The Committee decided that the question might be put.

Examination continued; cross-examined by Mr. *Tindal Atkinson*; re-examined by Mr. *James*.

Alfred Croskill, sworn; examined by Mr. *James*.

John Nutchey, sworn; examined by Mr. *James*; cross-examined by Mr. *T. Atkinson*; re-examined by Mr. *James*.

Room cleared, and Committee deliberated.

[Adjourned till To-morrow, at Eleven o'clock.

Sabbati, 1° *die Augusti*, 1857.

Members all present.

Philip Champion Toker, sworn; examined by Mr. *James*; cross-examined by Mr. *T. Atkinson*; re-examined by Mr. *James*.

John Westerby, sworn; examined by Mr. *Welsby*; cross-examined by Mr. *Tindal Atkinson*; re-examined by Mr. *James*.

John Joseph Thorney, sworn; examined by Mr. *James*; cross-examined by Mr. *Tindal Atkinson*; re examined by Mr. *James*.

Luke Hind, sworn; examined by Mr. *Welsby*; cross-examined by Mr. *Tindal Atkinson*; re-examined by Mr. *James*.

Daniel Boyes, sworn; examined by Mr. *James*; cross-examined by Mr. *Slade*.

Thomas Danton, sworn; examined by Mr. *James*; cross-examined by Mr. *Slade*; re-examined by Mr. *James*.

Mr. *Tindal Atkinson* was heard to address the Committee on behalf of the Sitting Member.

William Elliot, sworn; examined by Mr. *Dunbar*; cross-examined by Mr. *James*; re-examined by Mr.

John William Ide Cozens, sworn; examined by Mr. *T. Atkinson*; cross-examined by Mr. *James*; re-examined by Mr. *T. Atkinson*.

John Aylett, sworn; examined by Mr. *Dunbar*.

John Buck Toker, sworn; examined by Mr. *Tindal Atkinson*; cross-examined by Mr. *James*; re-examined by Mr. *James*; examined by *Committee*.

Mr. *Slade* was heard to apply to the Committee to decide upon the question of qualification before deciding upon the right of the Petitioner to the seat.

Mr. *James* was heard in reply.

Room cleared, and Committee deliberated.

The Committee decided that both the cases should be proceeded with.

Parties called in, and informed thereof.

Michael Clarke, sworn; examined by Mr. *James*; cross-examined by Mr. *James*; re-examined by Mr. *Slade*.

John Almack, sworn; examined by Mr. *T. Atkinson*; cross-examined by Mr. *James*; re-examined by Mr. *T. Atkinson*.

Charles James Fox, sworn; examined by Mr. *T. Atkinson*; cross-examined by Mr. *James*; examined by *Committee*.

Robert Child Taylor, sworn; examined by Mr. *Dunbar*; cross-examined by Mr. *James*; re-examined by Mr. *Slade*.

[Adjourned till Monday, at Twelve.

Lunæ, 3° *die Augusti*, 1857.

Members all present.

Room cleared; the Committee deliberated.

Parties called in.

William Padgett, sworn; examined by Mr. *T. Atkinson*; cross-examined by Mr. *Allan*.

Samuel Findlater, sworn; examined by Mr. *Dunbar*; cross-examined by Mr. *Allan*; re-examined by Mr. *T. Atkinson*.

Henry Sylvester, sworn; examined by Mr. *Slade*; cross-examined by Mr. *James*.

William Bainton, sworn; examined by Mr. *Dunbar*; cross-examined by Mr. *James*.

Harold Backworth, sworn; examined by Mr. *Atkinson*; cross-examined by Mr. *James*.

Charles Arden, sworn; examined by Mr. *Dunbar*; cross-examined by Mr. *James*; re-examined by Mr. *Slade*.

William Smales Wreghitt, sworn; examined by Mr. *Slade*; cross-examined by Mr. *James*; re-examined by Mr. *Slade*.

Charles Brereton, further examined by the Committee.

Mr. *Slade* heard in support of Mr. Glover's qualification, and against the Petitioner's claim to the seat.

Mr. *James*, heard in reply to the whole case.

Room cleared; the Committee deliberated.

The Committee came to the following Resolutions:—

"1. That Edward Auchmuty Glover, Esq., was not, at the time of the last Election for the Borough of Beverley, duly qualified to be elected as a Member to serve in Parliament for the said Borough.

"2. That Edward Auchmuty Glover, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Beverley.

"3. That the last Election for the said Borough, so far as regards the return of Edward Auchmuty Glover, Esq., is a void Election.

"4. That the said Edward Auchmuty Glover, Esq., made and signed Declarations in the form provided by 1 & 2 Vict. c. 48, ss. 3 and 6; and that it is the unanimous opinion of the Committee, that the Evidence taken before them should be laid before the Attorney-general, with a view to further proceedings being taken with reference to such Declarations."

Parties called in, and informed thereof.

Mr. *James* applied for costs, under the 11 & 12 Vict. c. 98.

The Committee refused the application.

Ordered to Report.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Veneris, 31° *die Julii*, 1857.

MEMBERS PRESENT.

Mr. Sterne Ball Miller.	Mr. J. Hodgetts Foley.
Lieutenant-Colonel Knox.	Mr. Evans.

MR. J. ABEL SMITH, IN THE CHAIR.

THE Counsel and Parties were called in. 31 July 1857.

The Petition of *William Wells*, of Holme Wood in the county of Huntingdon, and of Redleaf, in the county of Kent, Esq., complaining of the last Return for the Borough of Beverley, was read.

Mr. *Edwin James*, and Mr. *Welsby* appeared as Counsel for the Petitioner.

Mr. *Coppock* and Mr. *Leeman* appeared as Agents.

Mr. *Slade*, Mr. *Tindal Atkinson*, and Mr. *Dunbar* appeared as Counsel for the Sitting Member.

Messrs. *Cross*, *Wright*, *Williams* and *Wreghitt* appeared as Agents.

The Committee-room was cleared.

After a short time, the Counsel and Parties were again called in, and informed by the *Chairman* that the usual preliminary Resolutions Nos. 1, 2, 4, 7, 8, 9, 10, and 11 were agreed to.

Mr. *Edwin James* was heard to open the case on behalf of the Petitioner.

James Richard Naylor, Esquire, was called in, and having been sworn, was Examined by Mr. *Welsby*, as follows:

J. R. Naylor, Esq.

1. DO you produce from the Crown Office the return in this case for the borough of Beverley?—Yes; the writ and return.
2. When is the writ dated?—The 21st of March.
3. And the return?—The 28th of March 1857.
4. Who are returned as elected?—The Honourable William Henry Forester Denison, of Grimstone, in the county of York; and Edward Auchmuty Glover, of 28, Grosvenor-square West, London.

Mr. *Tindal Atkinson* stated that it ought to be Grosvenor-street.

5. Mr. *Welsby*.] Have you the poll books there?—Yes (*producing the same*).

[The Witness withdrew.

Mr. *William Fox Clark* was called in, and having been sworn, was Examined by Mr. *Welsby*. as follows :

Mr. *W. F. Clark.*

31 July 1857.

6. YOU are a Solicitor at York ?—Yes.

7. Did you, on the 27th of March, the nomination-day at Beverley, serve upon Mr. Glover a demand of qualification ?—I did.

8. What time of the day was it ?—About one o'clock.

9. Was it in writing ?—It was.

10. Have you got a duplicate of it there ?—Yes.

Mr. *Tindal Atkinson* objected to its being read as a duplicate was not evidence.

Mr. *James* contended that the duplicate was admissible.

Mr. *Tindal Atkinson* was heard in reply.

The *Committee* overruled the objection.

11. Mr. *Welsby*.] Is that a duplicate of the notice, or paper, which you served upon Mr. Glover ?—It is.

12. Will you hand it in ?—(*The same was delivered in*).

13. Was it signed by two electors ?—It was.

Cross-examined by Mr. *Tindal Atkinson*.

14. Are you an elector of Beverley ?—No.

15. You are a partner with Mr. George Leeman, I think ?—Yes.

16. The agents to Lord Wenlock ?—Yes.

17. Do you take any interest in the affairs of Beverley ?—We have an office there. My partner is clerk of the peace in the East Riding.

18. Do you take any interest in the affairs there ?—Yes.

19. You take a very prominent part ?—As agent for Mr. Wells and Denison.

20. Were you at the election ?—Yes.

21. Did you take an active part in it ?—As agent I did.

22. Against Mr. Glover ?—Yes.

23. Did you indulge in any squibs ?—No.

Re-examined by Mr. *James*.

24. You indulged in no squibs ?—No.

25. By the *Committee*.] When you say that this is the copy of the demand that you made, what proof have you of it ?—That is the original; I had two originals, and that is one.

26. You had this at the time of delivering the other to Mr. Glover ?—Yes, I saw them both signed myself.

27. Mr. *Tindal Atkinson*.] Did you demand a declaration personally ?—I did.

28. Did you tender any money at that time ?—No.

29. Mr. *James*.] Money, to whom; Mr. Glover ?—I do not know.

The Witness withdrew.

A certified copy of the vesting order from the Insolvent Court in Ireland was handed in, dated the 27th of June 1849.

The petition of the insolvent was handed in, dated the 26th June 1849, and the schedule.

Mr. *Welsby* stated that notice had been served to Mr. Glover to produce a marriage settlement, to which he was a party.

Mr. *Tindal Atkinson* stated that the notice was admitted, but the settlement was not produced.

Mr.

Mr. *George Annesley* was called in, and having been sworn, was Examined by Mr. *Welsby*, as follows :

Mr. *G. Annesley.*

31 July 1857.

30. I BELIEVE you are a solicitor in Lincolns' Inn-fields ?—Yes.

31. Have you brought, in pursuance of the Speaker's warrant, the marriage settlement of the date of the 18th of September 1854 ?—No.

32. You produce it ?—No ; I beg to submit to the Committee that I am not bound to produce those deeds, and for this reason ; they were brought into my possession by a lady, Mrs. Toker, and not by the trustees at all ; and the Court of Chancery has already refused to take those deeds out of my hands ; that being the case, I submit that I am not bound to produce them here ; I am willing to do so if the Committee order me. I hold those deeds in the capacity of solicitor to Mrs. Toker.

33. Now ?—At this moment.

34. Not as receiver of the Court of Chancery ?—No.

35. You decline to produce them on the ground that they are privileged ?—Yes ; I am happy to produce them if the Committee order me to do so ; but I feel that I should not do my duty to Mrs. Toker if I did.

36. You state positively that those deeds are in your possession, in your capacity as solicitor for Mr. Toker ?—No, of Mrs. Toker ; she herself deposited those deeds with me.

37. You now retain them as her solicitor ?—Certainly, not as solicitor to the trustees at all ; they have never given them to me at all. I have had no orders from Mrs. Toker to produce those deeds ; I obeyed the summons to bring them down here.

Mr. *James* submitted that the deeds ought to be put in evidence.

The Committee-room was cleared.

The Counsel and parties were again called in, and informed by the Chairman that the Committee would not at present enforce the production of the deeds ; but they must request the Witness to be in attendance.

[The Witness withdrew.

Mr. *W. R. Turner.*

Mr. *William Rawson Turner* was called in, and having been sworn ; was Examined by Mr. *Welsby* as follows :

38. ARE you a Solicitor in Bucklersbury ?—Yes, I am.

39. Did you prepare a marriage settlement between Mr. and Mrs. John Buck Toker ?—I did.

40. From whom did you receive the instructions for that settlement ?—From Mrs. Toker, Mr. Toker, and Mr. Glover.

41. From a lady who afterwards became Mrs. Toker. What was her name before ?—De Burgh.

42. Had you written instructions ?—I had.

43. I believe you have got them here ?—I have.

44. Have you made a copy of the deed ?—I have (*producing the same*),

45. Are you able to state that that is a correct copy ?—That is a correct copy. I examined it.

46. By the *Committee.*] Do you produce the written instructions ?—I have them.

47. Mr. *Welsby.*] Did you attest the execution of the deed by Mr. Glover ?—I did.

48. Will you produce the instructions ?

Mr. *Tindal Atkinson* objected to the question, and submitted that whatever took place between a solicitor and his client was inviolable.

The *Committee* overruled the objection.

49. Mr. *Welsby.*] Will you be kind enough to produce the written instructions and a copy of the deed ?—Yes. (*The same were produced*).

Mr. *W. R. Turner.*

31 July 1857.

50. In whose handwriting are the instructions?—In the writing of Mr. Toker.

51. You have the settlement in your hand?—Yes, a copy of it.

52. Will you read the description of the lands in Curaghclonbro?—"The said Anna De Burgh, with the privity of the said John Buck Toker (testified by his being a party to and executing these presents) doth assign unto the said Edward Auchmutz, and William Downing Bruce, their executors, administrators, and assigns; fifthly, all the messuages or tenements, pieces or parcels of land, and other hereditaments, commonly called the lands of Curaghclonbro, situate in the borough of Fermoy in the said county of Cork, containing 312 acres, or thereabouts, in the several occupations of Mrs. Daly, Charles Daly, and Michael Walsh, at yearly rents, amounting together to 372 *l.* 12 *s.* per annum, and all the benefit and right to renewal of the same premises; together with all houses, outhouses, buildings, ways, paths, easements, and appurtenances, to the same premises belonging or appertaining; and all the estate, right, title, and interest, term of years, property, claim, and demand whatsoever of her the same Anna De Burgh, of, in, to, or out of the same premises, to hold the same messuages or tenements, pieces or parcels of land, and other hereditaments fifthly hereinbefore mentioned, and intended to be hereby assigned unto the said Auchauty Glover and William Downing Bruce, their executors, administrators, and assigns, for all the residue now to come of the said term of 31 years, of which the said Anna De Burgh now holds the same."

53. Will you be kind enough to read the trust shortly?—"Upon trust for the said Anna De Burgh, her administrators, executors, and assigns until the said intended marriage shall be solemnised, and from and after the solemnisation thereof." "Upon and for such trusts, intents, and purposes, and with, under, and subject to such powers, provisoes, and declarations as shall and may as nearly correspond with and be similar to the uses, trusts, intents, purposes, powers, provisoes, and declarations hereinbefore limited, declared, and contained of and concerning the said freehold hereditaments hereinbefore granted and released, or intended so to be, as the different natures and qualities of the same several estates, and the rules of law and equity will permit, yet so that the same leasehold premises shall not for the purposes of transmission vest absolutely in any child of the said John Buck Toker."

54. Is there not a recital that Hannah De Burgh is absolutely entitled to the residue of that term of 31 years, with the right of renewal?—Yes; "And whereas the same Anna De Burgh is absolutely seised of or entitled to the messuages or tenements, pieces or parcels of land, and other hereditaments fourthly hereinafter particularly mentioned and intended to be hereby released with their appurtenances for an estate of interest in fee simple, free from incumbrances, except certain small rents payable in respect of parts of the same premises, and she is also absolutely entitled to the lands and hereditaments fifthly hereinafter particularly mentioned and intended to be hereby assigned for the residue of a term of 31 years, with a perpetual right of renewal subject to the rents, covenants and agreements reserved and contained in the indenture of lease by which the same premises were granted, and on the part of the lessee to be paid, observed and performed."

55. Did you subsequently to the making of that settlement give notice to the tenants of Curaghclonbro to pay their rent to the trustees of the settlement?—I did.

56. What knowledge had they of Mrs. Anna De Burgh?—The notices were served, but I never heard anything respecting the tenants.

Cross-examined by Mr. *Tindal Atkinson.*

57. What have you been reading from?—A copy of the settlement.

58. Made by whom?—Made by my clerk and examined by me.

59. Examined by you with the original?—Yes.

60. Did you read it through with the original?—I believe I did.

61. Did you or did you not?—Yes.

62. You state that positively?—Yes; I read it with the original at the time.

63. You

63. You say you served the tenants with notices in consequence of instructions from Mr. Glover?—No; I had no instructions from Mr. Glover. Mr. *W. R. Turner.*

64. From whom did you receive your instructions?—I received my instructions from his co-trustee, Mr. Bruce. 31 July 1857.

65. Did Mr. Bruce act as trustee?—He has done.

Mr. *Welsby* stated that he now proposed to put in an office copy of the bill and answer in Chancery; the bill filed 12th of February 1855, and amended twice subsequently. [*The same were handed in.*]

[The Witness withdrew.

Mr. *William Nicholson* was called in; and, having been sworn, was
Examined by Mr. *Welsby*, as follows:

66. WHAT is your office?—The Crown Office in the Temple. Mr. *W. Nicholson.*

67. You are an officer in that office?—Yes.

68. Do you produce the declaration purporting to be made by Edward Auchmuty Glover?—I do.

69. The return to the Crown Office under the statute?—Yes, precisely.

70. By the *Committee.*] What declaration?

Mr. *Welsby.*] The declaration of his qualification. (To Mr. *Tindal Atkinson.*) Do you admit the handwriting of Mr. Glover?

Mr. *Tindal Atkinson.*] Yes, but I say that that is not admissible at present.

Mr. *Tindal Atkinson* was heard upon his objection to the admissibility of the document.

The *Committee* overruled the objection.

Mr. *Welsby.*] The declaration purports to have been taken and declared before a Justice of the Peace of the East Riding of York, on the 28th of March 1857, at ten o'clock in the forenoon. It is in these terms: "I, Edward Auchmuty Glover, do solemnly and sincerely declare that I am, to the best of my knowledge and belief, duly qualified to be elected a Member of the House of Commons, according to the true intent and meaning of the Act passed in the second year of the reign of Queen Victoria, intituled, 'An Act to amend the Laws relating to the qualification of Members to serve in Parliament,' and that my qualification to be so elected doth arise out of lands, estate and premises, as hereinunder set forth, that is to say: from an estate in the lands of Curaghclonbro, in the parish of Drumcullegr, county of Cork, Ireland, held for thirty-one years, renewable for ever at a peppercorn fine, to the best of my belief; also a lease for twenty-one years of the house and estates of 'The Oaks,' situate in the parish of Ospringe, in the county of Kent, of the value of three hundred pounds per year; also a rentcharge or annuity of three hundred and twenty-five pounds a year charged upon the house, lands, and estates of Brewer's-farm, Great Brewer's-hill, Little Brewer's-hill, and all the subdenominations to them belonging, situate in the Island of Harty, county of Kent, and bearing date the seventh day of August, one thousand eight hundred and fifty-four. Not expecting such a discreditable proceeding as the demand for my qualification, I have not my title deeds here, and therefore I cannot be particular as to the date or denomination; but I make the above declaration conscientiously believing the same to be true."

[The Witness withdrew.

Mr. *William Counsel* was called in; and, having been sworn, was
Examined by Mr. *Welsby*, as follows:

71. I BELIEVE you are a Shorthand Writer?—I am. Mr. *W. Counsel.*

72. Did you take a shorthand note of the evidence of Mr. Edward Auchmuty Glover, in the case of Glover against the Great Northern Railway Company?—I did.

Mr. *W. Counsel.*

31 July 1857.

73. Is that transcript a copy of your note made by yourself?—It is.

74. Is that an accurate copy from your shorthand notes?—Yes.

75. Were they an accurate account of the evidence?—They were. (*The Evidence was read.*)

76. This evidence was given on the 2d of July 1856?—Yes.

[The Witness withdrew.

Mr. *Henry Bathurst* was called in; and, having been sworn, was Examined by Mr. *Welsby*, as follows:

Mr. *H. Bathurst.*

77. I BELIEVE you are a Solicitor at Faversham, in Kent?—Yes.

78. You produce a deed of the 16th of November 1853?—I do. (*The same was produced.*)

Cross-examined by Mr. *Tindal Atkinson.*

79. I THINK you have some acquaintance with the nature of the property in that neighbourhood?—Yes, I have a little.

80. Are you the receiver of the property?—Not of this estate.

81. You know the estate which is the subject of this inquiry, the Oaks?—I do know it a little.

82. What is the character of this property, the Oaks; is it valuable property?—It is not so valuable as it was, decidedly.

83. I suppose property in that part of Kent is getting worse?—The property has been allowed to get into a dilapidated condition, and the timber has been a good deal cut down; a great deal of timber has been cut down.

84. Has it been very valuable property?—It has been valuable property, worth something like 30 *l.* or 40 *l.* a year more than it is now.

85. How long ago was that so?—I should think some considerable time ago.

86. Two or three years ago?—Much longer than that.

87. How long?—I should think 12 or 13 years ago.

88. Was it under your keeping then?—No, under my brother's; it has never been under my keeping at all.

89. How long has your brother left?—He has not left; he is so ill that he cannot attend to it.

90. He has not the care of the property now?—No.

91. How long has it been out of his keeping?—Since Miss Toker's purchase of it.

92. It has gone worse ever since?—That I cannot say.

93. Since it has been out of your brother's keeping?—I cannot say; I speak of the time when the brother of the present owner for life was the possessor of the property; then my brother was his acting man generally; it was at that time much more valuable than it is now.

Re-examined by Mr. *Welsby.*

94. You say it was at one time 30 *l.* or 40 *l.* a year more valuable than now? I should say no doubt of it.

95. What is its present value per annum?—I think if they got 150 *l.* for it they would get a good rent.

96. By the *Committee.*] For the Oaks property?—Yes.

97. Do you know what the actual rents at present are?—The land other than the woodland, somewhere about 33 or 34 acres, is let for 45 *l.* a year; I cannot speak exactly; there is a cottage and garden which is let for 25 *l.*, and there is a house and a woodland in hand.

98. How much is that part that is in hand, and what does it let for?—I believe the house is now let for 60 *l.*

99. To Miss Toker herself?—Yes.

100. By the *Committee.*] Is the woodland let too?—No; that is in the possession of the mortgagees.

[The Witness withdrew.

Mr. *Charles Tucker* was called in; and, having been sworn, was Examined by Mr. *Welsby*, as follows:

Mr. *C. Tucker.*

31 July 1857.

101. ARE you clerk to Mr. Bathurst?—I was, some time since, to his brother.

102. Were you attesting witness to the execution of that deed by Miss Grace Toker?—I was one of the attesting witnesses.

103. Did you see Miss Toker execute that deed?—I did.

[The Witness withdrew.

Mr. *Francis Ommaney* was called in; and, having been sworn, was Examined by Mr. *Welsby*, as follows:

Mr. *F. Ommaney.*

104. YOU are a Solicitor in Basinghall-street?—Yes.

105. Do you produce the deed of mortgage of this property in Kent, the Oaks, dated the 13th of July 1849?—Yes (*producing the same*).

106. Mr. Haywood is the attesting witness, is he not?—Yes.

[The Witness withdrew.

Mr. *Haywood*, called.

Mr. *Tindal Atkinson* stated that he would dispense with the proof of the attesting witness.

107. Mr. *Welsby* (to Mr. *Ommaney*).] Do you also produce an examined copy of the record?—My clerk has it.

108. Have you the attornment?—No.

109. Who is in the receipt of the rents of this Oaks property?—Messrs. Metcalfe, Octavius Ommaney, and Henry Ommaney.

110. What are they?—They are the mortgagees.

111. How long have they been in possession and receipt of the rents?—They were in possession of part of the property, I think, about a year ago, or more than that; two years ago they received the rents of a portion; about two years ago; and the rest we got possession of last year, under a judgment.

112. How long ago?—At the assizes.

113. Did you get possession immediately after the judgment?—No; I only got possession under the judgment the other day, about three months ago.

114. You got judgment last year?—Yes.

115. What are the present rents of this property first in the aggregate?—The present rents are 55 *l.* that I receive, and 25 *l.* Captain Roberts, and the rest is let to Miss Toker for 60 *l.*

116. Making 140 *l.*?—Yes, besides that there is a bit of wood that is in hand.

117. In the mortgagees' hands?—Yes.

118. What is the interest on the mortgage money?—£. 125.

Cross-examined by Mr. *Tindal Atkinson.*

119. Are you a trustee under this mortgage?—No.

120. Is it your marriage trustees who are the mortgagors?—Yes.

121. Are you acquainted with Mr. Toker?—Yes.

122. And have been for some time, have you not?—A long time.

123. Have you entered into any speculations with him?—We were in speculation together some time ago.

124. What was that speculation honoured with as a title?—It was the making of steel.

125. Did you carry on your business at Sheffield?—Partly at Sheffield.

126. You manufactured the blades there, and sent them up here to sell?—Partly in Sheffield and partly in Flint.

127. Did you strike a successful spark out of the collision?—No.

128. There was no fire?—A good deal of fire.

Mr. *F. Ommaney.*

31 July 1857.

129. And I dare say it cost a good deal of ammunition?—It did.

130. How many thousand pounds did you lose?—I do not know I am sure. I cannot tell you.

131. Can you not say in round numbers what you and Mr. Toker, the old gentleman who was ruined, lost; how much did he pay you towards his losses?—He advanced towards the concern, I think, but I am not certain, about 9,000*l.* I am not sure. I have not looked into the thing.

132. He lost in this unsuccessful speculation 9,000*l.*?—Yes.

133. Did part of the monies, to your knowledge, that were raised out of this mortgage, go to satisfy it?—Yes, part of it did.

134. I believe you owe Mr. Toker a large sum of money?—I believe I do owe him a balance.

135. How much?—I cannot tell you.

136. Is it 11,000*l.*?—No, nothing like it.

137. How much?—I cannot tell you exactly what it is.

138. Were you ever in any other speculation with him?—Never.

139. With regard to the rent of this place, was not the 60*l.* that Miss Toker was to pay a sort of nominal sum to make up the interest to cover it?—I am not aware that it was.

140. You were a party to the negotiations?—It was not a nominal, it was a fair rent.

141. Have you ever seen that paper before? take it in your hand (*a Paper being handed to the Witness*). Was not that paper made out by you, or by a clerk in your office?—By a clerk in my office.

142. Is not that statement a statement of the amount of interest you had to receive, and have received, in an account current between the parties?—Yes.

143. When was that made out?—Within the last three months; in May, I think.

144. That is rather not the act of a man in possession, but the act of a party out of possession accounting for the rent; is not that so?—But that does not alter the fact of my having been in possession before.

145. You render an account to the lady; you account for the rent?—That is an account to the lady, showing what rents I have received, and other monies; what is due.

146. What interest is due to her?—I receive from the tenants; Mr. Glover paid me something, and the tenants paid me other parts; whatever I received is in that account.

147. He has paid you 30*l.* or 40*l.* out of the list; is that out of the 54*l.*?—He has paid me something on account of the 54*l.*

148. This is not by rents, this is by cash?—Yes, but there are rents there.

149. What is the whole amount of the mortgage money on this property?—£. 2,500.

150. Do you know what that property cost?—On what occasion?

151. What did this property, on which you say there is a mortgage, cost originally, within your knowledge?—When you say originally what do you mean? It was in Mr. Toker's family a great many years before I knew them.

152. When Miss Toker bought it?—I think 6,500*l.*

153. I was told it was 7,500*l.*?—I do not think it was; it was under 7,000*l.*

154. I am told that there is a letter of yours in which you state that it is 7,500*l.*?—If that is so it is a mistake; but the deed would set it right.

155. Have you got the purchase deed here?—No, I do not appear to have it.

156. Within the last month have you not been offered the mortgage money?—Never.

157. Do you know Mr. Holmes?—He called at my office one day.

158. Did you have any conversation with him?—Yes.

159. About this mortgage?—He said he was disposed to take a transfer of it, and I said, "Whenever your money is ready let me know," and he referred me to his solicitor.

160. Did you make an appointment with him?—No, he referred me to his solicitor.

161. Did you take any steps as to the solicitor?—I went to the solicitor and I said,

I said, "Mr. Holmes called on me and said he was willing to take a transfer of the mortgage," and he said, "I have not seen him about it, but I will write to him."

162. How long since?—A month, and he said, "You will write to me and I will write to Mr. Holmes." I said, "When you are ready I am ready," and I heard no more.

163. Have you not refused to give an abstract of the title?—Of course I should not throw abstracts about. If I were to see a gentleman in earnest, ready with his money, I would give him every facility.

164. How do you know that he was not in earnest?—I do not generally show abstracts of my clients' titles, particularly if I hold them of the mortgagees.

165. Do you know anything about the Harty estate?—I have got a mortgage on part of it.

166. On part of whose land?—Mr. Toker's.

167. How much for?—£. 7,600.

168. Was that money paid down in cash?—Part in cash.

169. Was not there a former mortgage of 2,000 *l.*?—There was a former mortgage for 2,000 *l.* at Brewers-hill.

170. Out of that 7,600 *l.*, was there not 2,000 *l.* that formed part of the former mortgage?—No; I think 1,600 *l.* of the former mortgage was paid off.

171. What is the whole amount now upon that particular estate?—It was a former advance, the 2,000 *l.*

172. On that property?—Yes; on that property, and another property, Butts-marsh.

173. By the *Committee.*] What is the total amount?—£. 9,600.

174. Does that include the 1,600 *l.*, the previous mortgage?—Yes; that includes the 1,600 *l.* that was paid off.

175. Mr. *T. Atkinson.*] There is another property taken, I understand, for the last 2,000 *l.* in conjunction with the former property?—Yes.

176. What is its character?—It is all of the same character; I believe grass land.

177. How much of it?—I think 76 acres or 80 acres.

178. What does it let for; what is it worth?—I can only judge by a proposition that was made; it was proposed to sell a short time ago; it was rather more than 13,000 *l.*

179. Do you mean the whole estate or Butts-marsh?—Butts-marsh and Brewers-Hill.

180. By the *Committee.*] An offer was made?—Yes, Mr. Toker had agreed to sell it about two or three years ago.

181. Then he received an offer to that amount?—Yes, and I understood that the gentleman afterwards refused; the times had altered and consols had fallen, and he would not complete.

182. Mr. *Tindal Atkinson.*] Eighty acres of Butts-marsh, what will they let for per acre?—I can tell you what the two produced; the Brewers and Butts-marsh produce half-yearly 216 *l.*; then there are reductions; for the half-year the balance is 186 *l.*. that was January 1856; I see the balance received from the tenants was 186*l.* upon the half-year; for July, the balance received from the tenants was 187 *l.*

183. Mr. *Welsby.*] What is the interest?—Four and a half per cent.

184. Mr. *Tindal Atkinson.*] How much over the interest is there?—I think the balance I have in hand is 27 *l.* running over four or five years.

185. By the *Committee.*] The surplus?—Yes.

Re-examined by Mr. *James.*

186. The mortgagees are in possession?—Yes.

187. Mr. *Tindal Atkinson.*] Have they got possession since the election?—No; long before.

188. How long before?—Two or three years, I think.

189. Mr. *James.*] Taking the whole of the property altogether, how much beyond the interest of the mortgage does it pay?—I do not think above 7 *l.* or 8 *l.*

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190. This balance of 27*l.* is the balance after three or four years, including this valuable grazing land?—Yes.

191. This account is made out with Miss Toker?—Yes.

192. Is not the mortgage on the other property altogether 11,600 *l.*?—Yes; there is another 2,000 *l.* on it.

193. By the *Committee.*] You said it was 9,600 *l.* including that?—Yes, that is quite right; that is my client's mortgage; Miss Toker's is a security on 2,000 *l.*

194. What are the mortgages on this property?—£. 11,600.

195. Mr. *James.*] That is mentioned in this deed?—Yes.

196. By the *Committee.*] Out of that 11,600 *l.* there was a prior mortgage of 1,600 *l.* paid off?—Yes.

197. Mr. *James.*] What are the existing mortgages now altogether?—£. 11,600.

198. Then as to the interest on the 2,000 *l.* the party gets no interest?—He gets none.

199. Then, in fact, there is not enough to pay the interest on the 11,600 *l.*?—Certainly not.

200. By the *Committee.*] The surplus remaining in your hands is not sufficient to pay the interest upon the other 2,000 *l.*?—No.

201. Mr. *James.*] How old is Mr. Toker?—Sixty or sixty-one.

202. Was he a lieutenant in the navy?—Yes.

203. By the *Committee.*] Is he 60 years of age now?—I think about that.

204. Mr. *James.*] Are you aware that Mr. Glover made him a bankrupt?—I do not know that; I know he was made a bankrupt.

205. This transaction between yourself and Messrs. Ommaney had nothing to do with Glover?—Nothing at all.

206. By the *Committee.*] How much of the mortgage money was charged upon Butts-marsh?—The whole of it; I mean the whole of the 9,600 *l.*

207. It was included in the property which was charged with that gross sum? With the 9,600 *l.*; I am not so sure about the 2,000 *l.*; I think that is only upon the Brewers.

208. Mr. *Welsby.*] The mortgage on the Oaks by this deed is 1,500 *l.*, recognising upon the face of it a prior mortgage of 2,000 *l.*, making 3,500 *l.*?—Yes.

209. Your clerk's name is Fry, is it not?—Yes. (*A letter was handed to the Witness.*)

210. Mr. *Tindal Atkinson.*] Read that letter?—It is Miss Toker's writing.

211. Just read it?—(*The Witness read it.*) I do not think it is quite right, myself; I am nearly certain it was 6,500 *l.*

212. Do you recollect writing the letter of which that is a copy? I think I wrote such a letter as that, but I think still it is wrong; I think it was 6,500 *l.* notwithstanding that letter.

213. Mr. *James.*] That is not your original letter?—No.

214. Mr. *Tindal Atkinson.*] Was 2,000 *l.* of that 4,000 *l.* charged upon some other properties?—No.

215. Mr. *James.*] In whose writing is that letter?—It looks like Miss Toker's.

216. You say that Mr. Holmes called upon you, and made an offer for this property?—Yes.

217. When was that?—Very recently.

218. Who is he?—He said that he knew me, but I did not know him.

219. What is he?—I do not know; he said he should find the money, and as much more as I liked upon his security.

220. Did you tell him that the mortgagees were in possession?—Yes.

221. Did he give you his address?—Yes, he gave me his card.

222. Of where?—I forget; but he referred me to his solicitors, Thompson & Debenham, of Salters' Hall.

223. Did they tell you that he was prepared to pay the mortgage off?—No, they said he had not been to them.

224. The solicitors of the gentleman who was going to pay the mortgage off said that they had not seen him?—Yes, but that they would write to him.

225. You did not produce your title deeds upon such hearsay as that?—No, I have had many applications.

226. What Mr. Holmes was it?—I do not know at all; he was introduced to me

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me by Mr. Linklater; Mr. Linklater's clerk came with him, and Mr. Linklater is solicitor to Mr. Glover. When the clerk came to me I said, "If you are really in earnest, and have got the money, good, but I have no right to produce the deeds if you have not; I will not produce them."

227. The next document is the record of the judgment in ejectment?—Yes (*producing the same*).

228. Have you not got the attornment from her, as to part of the land, for 60 *l.*?—No, not from her; there is an attornment from two other tenants; she would not go out.

229. You have agreed to let her stop in, have you not?—Yes; I thought she wished to remain in, and I said, "I must have possession. If you wish to remain in I have no objection." I understood that Mr. Glover had some claim upon the property, and I wished to put that right.

230. What attornments are those you have got?—The attornments were on two of the tenants.

Mr. *Welsby* referred to and read other deeds, which were handed in.

The *Witness.*] I made a mistake, I see that the interest is 4 per cent., that does not alter the balance.

Mr. *Philip Champion Toker* was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *P. C. Toker.*

231. ARE you of the firm of Toker & Gregory, proctors, of Doctors Commons?—I am.

232. How long have you been in that profession?—I was articled in 1817.

233. You are the nephew, I believe, of Miss Grace Margaret Toker?—I am.

234. And the party entitled to the possession of the reversion of East Ospringe?—I am.

235. Do you know Mr. Toker who married Madame Dubourg; he is your uncle, I believe?—Yes.

236. Were you present at the marriage between Mr. Toker and Miss Dubourg?—No.

237. You heard of her marriage?—Of course I did.

238. When did you first know Mr. Glover?—I heard of Mr. Glover first during the time that I was residing at Brighton.

239. Were you aware of Mr. Glover having taken the benefit of the Insolvent Act in Ireland?—I heard afterwards so from inquiries.

240. Do you recollect Mr. Glover proposing himself as a candidate in 1852, at Beverley?—No, I never heard of Mr. Glover then.

241. Do you remember his proposing himself as candidate, on this occasion, for Beverley?—Yes.

242. Do you know Mr. Shepherd, of Beverley?—I do.

243. Did you hear at that time, that he was chairman of Mr. Glover's election in 1852?—No, I was not aware of that.

244. Did you make any communication to him with reference to Mr. Glover having taken the benefit of the Insolvent Act, in Ireland?—I did.

245. When did you make communications to him?—I think I made those communications to him in 1855.

246. With reference to his having stood in 1852?—Yes.

247. Long before this election?—Yes, I think I did.

248. When did you hear of Mr. Glover proposing to stand at the election in 1857?—I recollect seeing it stated in the papers amongst the other candidates starting for different places; I cannot say exactly how long before.

249. Had you addressed a letter to Colonel Hutton?—I had.

250. Colonel Hutton is a person of some influence in Beverley?—I have heard so.

251. Did you receive this letter (*the same being shown to the Witness*) from Mr. Burton, a magistrate of Beverley, with reference to the letter you addressed to Colonel Hutton?—Yes.

252. You received that from Mr. Burton?—Yes; this came to me through post.

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253. Did you publish this hand-bill (*the same being shown to the Witness*)?—I did.

254. Was it in consequence of the receipt of this letter from Mr. Burton, that you published that hand-bill?—It was.

255. Did you send copies of that hand-bill down to Beverley?—I did.

256. How many?—I think about between 70 and 80.

257. Did you send them to the electors?—Yes.

258. In consequence of receiving that communication from Mr. Burton?—Yes, and from Colonel Hutton and from Mr. Shepherd; I think I prepared those questions the day before I received Mr. Burton's letter, but that confirmed me in the propriety of forwarding them down to the electors; he put it to my honour as a gentleman, and said he thought I ought to communicate what I knew.

259. Did you in consequence of that, first send down 70 or 80 of those placards?—Yes.

260. Had any names of electors been furnished to you?—Yes, I had a list of about 100 names.

261. By whom had that list been furnished to you?—By Mr. Shepherd.

262. Who was he?—One of the electors, I understood, and a solicitor; the gentleman whom I alluded to just now as acting with Colonel Hutton.

263. You issued that placard in consequence?—Yes.

264. Did you in consequence go to Beverley to verify the statement you had made?—Yes; and more especially as I had used the name of a gentleman down there, a Mr. Martin, and I thought it was not right that he should be there, as I had mentioned his name, without having my support.

265. Did it turn out that Mr. Martin, whose name you had mentioned, had gone down also to state certain facts?—Yes; he went down the day before.

266. Having issued this placard, and hearing that he had gone down, you went down to avow yourself as the publisher of it, and make true your statements?—Yes, I did; I intended to appear on the hustings.

267. When did you go down to Beverley?—I went down, I think, as far as Hull on Thursday night; the nomination was on Friday the 27th.

268. When did you arrive at Beverley?—On the morning of the day of the nomination.

269. When you got down to Beverley did you go direct to Mr. Shepherd?—I did.

270. Was he a supporter of Mr. Glover's?—Upon my word I do not know.

271. Where did you find him?—He was not at home when I arrived at his house; he came in shortly after. I remained at his house.

272. Did you communicate to Mr. Shepherd anything with reference to those statements as to Mr. Glover having taken the benefit of the Insolvent Act in Ireland, and not having any qualification?—I did.

273. Did you communicate to him that you were prepared to prove these facts?—Yes.

274. And that you had come down for that purpose?—Yes.

275. Did you go with Mr. Shepherd to Colonel Hutton? Yes, I did.

276. Is that the same gentleman with whom you had been in correspondence?—Yes, that was the first time I had ever seen him.

277. Did you communicate to him that you were prepared to prove those statements with regard to the want of qualification?—I did.

278. Did you express your readiness to appear at the hustings?—Yes, but I was advised not to attend, as it would be unsafe for me to do so.

279. Did you go to the the hustings?—No; I heard that Mr. Martin had been seriously maltreated the night before, therefore I did not think it was safe; they advised me not to do so.

280. Who?—All of those whom I met there; there were many gentlemen whose names I did not know, being a perfect stranger.

281. In the afternoon did you go to Mr. Silvester, the solicitor?—Yes.

282. Had Mr. Glover any committee-room?—Yes.

283. Where did you see Mr. Silvester?—At his office.

284. Did you know whether he was acting as agent for Mr. Glover?—I did not; I heard one gentleman say that he was.

285. Is he a solicitor there?—Yes, I believe so.

286. Whom did you meet at Mr. Silvester's office?—As I have said before, all

all the gentlemen were strangers to me; there was only one that I could recognise.

287. Who was that?—Mr. Gilby.

288. Is he an elector?—I believe so; I think that he told me he should vote most likely for Mr. Glover.

289. How many persons were there besides?—I recognised him because he wrote two letters to me afterwards.

290. How many persons did you find in Mr. Silvester's office, should you say?—I think I must have seen five or six there; some gentlemen left; they came in and left.

291. Did you communicate to him your object in coming down?—Yes; I was repeatedly asked if I had any objections to put my name to the hand-bill, and I declined to do it; I said at that time that I did not come down with regard to party politics; I was merely there to do a duty, and to expose the conduct of Mr. Glover, who, I considered, had behaved extremely ill to my family.

292. But with reference to those statements, did you say anything to Mr. Silvester, at his office, about your being prepared to prove those statements?—I did.

293. While you were at Mr. Silvester's, did any mob collect?—Yes.

294. A large mob or a small one?—I cannot tell how many; there might have been 150; the street was full of people.

295. Was this after the nomination?—Yes.

296. Did you receive any advice about leaving the town?—Yes.

297. Where did you go to from Mr. Silvester's office?—I was obliged to retreat from Mr. Silvester's office in consequence of the mob trying to break into the house.

298. Where did you go to?—I found that my life was in danger, and I passed out at the back of the house, and I got over some low buildings, and I went into Mr. Ackrill's house.

299. What became of you, then?—Finding that they were following me, I told Miss Ackrill, I think it was, that I was in great danger I believed, and she showed me into her bed-room, which was on the first-floor; and then, seeing that the crowd were on the tops of the houses and following me, she advised me to go into her mother's room, which was above, and there I remained during the time I was there till nearly 12 o'clock at night.

300. Did you get into a fly then for the purpose of going to Hull?—Yes. I think it is necessary to say that one man followed me and opened the window below, and tried to force the door of the room in where I was.

301. You felt yourself unsafe and in danger?—Yes; stones were thrown in as late as half-past 11 o'clock, therefore I knew they were on the outside.

302. A placard was issued offering 50*l.* to the electors of Beverley for the discovery of the publisher of the handbill; did you avow yourself to these gentlemen to be the author of the paper you sent down, and that you were prepared to prove it?—Yes.

303. Has Mr. Glover taken any proceedings against you?—No.

304. Nor ever intimated any?—Not that I ever heard of.

305. From that day to this?—No.

306. Did you tell that to Mr. Shepherd and those gentlemen whom you saw, and give your name and address to all of them?—Yes.

307. You stated that you had come down to prove those facts?—Yes.

308. From that day to this have any proceedings of any kind been taken against you by Mr. Glover?—None whatever.

Cross-examined by Mr. *Slade.*

309. You have not been on very good terms with Mr. Glover, I presume, by having circulated this complimentary paper?—That I should think you could judge of by seeing the paper.

310. You have not been on very good terms with him?—I really do not know him any more than from what I had inquired of him in consequence of the information that my family gave me; my aunt threw herself on my protection in the first instance when I was at Brighton, and in consequence of that,

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that, and in consequence of a letter that she put into my hands from that gentleman, and also from Madame Anna Dubourg, that induced me to protect my aunt; she was living with me for five months under my protection, until they induced her to leave me again.

311. I suppose your feelings were not of the kindest description towards Mr. Glover?—Certainly not.

312. Did you consider it worthy of a gentleman to publish an anonymous handbill of another?—I must say that I wished very much to put my name to it, but I was advised not to do so by a professional friend; he strongly advised me not to do so, and I had not much time to consider of it, and I sent it down; but I repaired that immediately by going down.

313. Did that professional friend advise you to violate the law, and not have the printer's name put at the bottom of it?—No, he did not advise me on the subject.

314. Was that done by your order?—Certainly, it was done by my order.

315. There was to be no printer's name put on the foot of it, and no means afforded by which any clue could be got to the author of this libel; is that so?—That cannot be so, because I followed it up.

316. When you did it at first, was it done with the object that there should be no clue to the author of the placard?—It was not done so.

317. With what object was it done?—Because in the first instance I did not suppose that any printer would put his name to it.

318. It was too bad for a printer to deal with?—He would be liable to an action.

319. Do you mean to represent that that was the reason why you did not have the printer's name put to it?—Yes.

320. Was that the printer's suggestion, or yours?—There was no suggestion at all; I desired him to do it, and he did it.

321. Then you suggested it?—Let it be so.

322. Was that so?—Of course it was.

323. Then the printer was not asking to be protected; you said, "Do not put your name to it;" upon your oath, was not that to prevent it being traced to you?—Upon my solemn oath, I never reflected upon it it for a single moment.

324. Is that your answer?—Yes.

325. What made you tell him not to put his name there?—I did not want him to get into a difficulty.

326. He made no objection?—I do not know that he did make any objection.

327. Do you know that he did not?—I do not know that he did.

328. Was it in answer to anything that you said?—He did not make any objection.

329. Then you do know that he made no objection; you said that you had sent about 70 or 80 handbills, were they addressed to anybody?—Yes.

330. To whom were they sent?—I have not a list with me, they are ticked off.

331. Those that are ticked off had them sent to them?—Yes.

332. Where did you get their addresses?—I merely addressed "Beverley."

333. Where did you get their names?—They are on that paper.

334. Who furnished that to you?—Mr. Shepherd.

335. Was your object to blacken Mr. Glover?—Certainly, most decidedly, to expose him, as I thought it was my duty.

336. Was it your object to blacken Mr. Glover?—My object was to expose him; as to blackening him I do not understand what you mean.

337. Was it your object to blacken Mr. Glover's character?—I do not choose to answer that question in the way you put it; I thought it was my duty to expose the man who I considered——

338. What was your object in sending this paper; was it not to blacken Mr. Glover's character?—To expose the man whom I considered to be a great impostor; I can give no other answer, and I shall give no other answer.

339. You thought it your duty to do so?—I did.

340. If that was your duty, just explain why you had not the common honesty to put your name to the paper?—I regret that I did not, it was done in a great hurry.

341. This

341. This was drawn up in a hurry?—It was sent in the course of a few hours.

342. But you generally put your name to a letter, though it may be written in a hurry. Do you represent to the Committee that the reason you did not put your name to this long series of questions was that it was done in a great hurry?—No, I do not say that exactly.

343. Why did you not put your name to it; were you ashamed of it?—Certainly not.

344. Why did you not put your name to it?—Because I was advised not to do so by a professional friend.

345. Was it then because you were advised not to do so?—Certainly.

346. Who was your adviser?—Mr. Harrison.

347. Did he advise you not to have the printer's name put to it?—Upon my word I do not think he mentioned the subject to me.

348. It was your own suggestion, was it?—I do not see that there was any suggestion at all; I desired the printer to print off so many copies, and he did so.

349. I thought you said you desired him not to put his name to it?—I do not contradict that now.

350. Not to put his name to it?—He might do as he liked about that.

351. Is that so?—Yes, it is so; I did not want the man to be subject to an action; and I do not suppose that any printer would put his name to it.

352. How many of these were printed?—I ordered 100.

353. Who was the printer?—I really cannot give you the name; I never employed him before.

354. You say that there have been no proceedings taken against you with reference to that offer; have any proceedings been taken against you by Mr. Glover as to any other matter?—Not that I am aware of; I have had no notice.

355. Do you know that he has summoned you before the magistrate?—I am not aware of that: I have never received any summons.

356. Are you to attend on Monday next before the magistrate as to a complaint made by Mr. Glover?—I do not know; this is the first intimation; I can say that I have not received any intimation up to the present time.

Re-examined by Mr. *James*.

357. Are you prepared to vindicate that bill in every particular?—Quite.

358. Mr. Glover, from the day when he offered a reward of 50 *l.* for the publisher, has not taken any proceedings against you?—No.

359. How soon after had you sent the handbill down without your name, did you go and avow to Mr. Glover's own agent that you were the author?—I think they were sent down two days before.

360. Is Mr. Shepherd, to whom you avowed yourself the author, and that you were prepared to prove the allegations, the gentleman who sent you the list of voters?—Yes.

361. Did you avow to Mr. Shepherd and the other gentlemen whom you saw, Colonel Hutton and others, that you were the author, and give your name and address, and that you were prepared to prove the facts?—Yes; when I went to Mr. Martin——

362. By the *Committee.*] Who is Mr. Martin?—He is the gentleman who went down and was ill-treated. When I went to Mr. Martin from Colonel Hutton's, several gentlemen followed me.

363. To every one of those gentlemen did you avow yourself as the author of the handbill, and that you were ready to prove the allegations contained in it?—A committee of gentlemen followed me to Mr. Martin's, and took notes of what I said, and asked me by what authority, and whether I said it; and I told them that I had seen all the parties, and therefore I could vouch for the truth of it.

[The Witness withdrew.

Mr. *Charles Brereton* was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *C. Brereton.*

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364. ARE you the Mayor of the borough of Beverley?—I am.

365. Have you several times filled that office?—Yes, four times.

366. Were you the returning officer at the election in 1857?—I was.

367. Do you remember Mr. Glover being at the election in 1852?—I do.

368. Was he a candidate then?—Yes, he was a cadidate then, along with Mr. Lawley and Mr. Wells.

369. Mr. Lawley and Mr. Wells were returned, were they not?—They were.

370. After 1852, did you, before the election of 1857, hear that Mr. Glover had taken the benefit of the Insolvent Act, In Ireland?—I did; I heard it stated so several times.

371. In the borough?—Yes.

372. Was it a matter much talked of?—It was talked of very much, a good deal amongst Mr. Glover's supporters, and other electors in the borough.

373. Was that known before this election?—Yes.

374. Had you heard in Beverley of his standing for Canterbury in 1854?—I had.

375. When did you receive the writ for this election?—I received it on the 23d of March.

376. Was the fact well known and rumoured in the borough at that time, that Mr. Glover had taken the benefit of the Insolvent Act in Ireland?—It was known generally.

377. Before this election?—Yes.

378. On the morning of the 26th did you receive a copy of that handbill (*handing a paper to the Witness*)?—Yes, by the London post.

379. I am confining myself now to this fact: you see the statement there, that Mr. Glover had taken the benefit of the Insolvent Act in Ireland in 1850, and had not a five pound qualification in the world; was your attention attracted to those two facts?—It was.

380. Did you see copies of that handbill in various parts of the town?—In several windows and other places on the same day.

381. Do you remember Mr. Martin, whose name is mentioned in that placard, coming down to Beverley?—I think that Mr. Martin came down the day that I got it.

382. He is a barrister, and editor of the "Sun" paper?—Yes.

383. Mr. Martin's name is mentioned there; do you remember his convening a meeting of the electors at the Mechanics' Institute on the evening that he came down?—Perfectly; he published a placard.

384. Calling a meeting of the electors?—Yes.

385. Whereabouts is the Mechanics' Institute in the town?—It is situate in Cross-street.

386. Did you observe whether Mr. Glover was supported by a very large number of the working classes?—Yes, he was supported by a great number; men, women, and children.

387. Non-electors?—Yes, a great number.

388. When this meeting was called at the Mechanics' Institute, did you observe whether there was any disturbance in the town?—I was not there.

389. Was any information brought to you of any disturbance?—Yes, information was brought to me, not officially, that there had been a great disturbance.

390. Did you observe any excitement in the town?—There was a great deal of excitement at that time, and the first person that brought me the intelligence was my own son.

391. On the morning of the nomination, did you direct some special constables to be sworn in?—I think before the nomination I ordered what is usual, 30 special constables to be sworn in.

392. Were you upon the hustings when Mr. Glover's qualification was demanded?—I was on the hustings on the day of nomination; I understood all the morning that Mr. Glover's qualification was demanded or would be demanded and would be disputed; it was the general conversation.

393. Had

393. Had you heard in the course of that day, that Mr. Glover's qualfication would be matter in dispute?

Mr. *Tindal Atkinson* objected to the question.

The objection was overruled.

394. Had you heard anything about Mr. Glover's qualification?—A good deal.

395. What had you heard?—I had heard that his qualification would be demanded, and if it were demanded it would in all probability be disputed.

396. Where had you heard that?—On the hustings.

397. From many persons?—From several persons.

398. Had you heard it before the nomination?—I am not sure that I did not; I think I perhaps did.

399. You said that it had been the subject of conversation since 1854 in the borough?—It was since the election of 1852 from the first, and it was a matter that was believed that he had no qualification.

400. Was it the subject of conversation in the borough?—Yes.

401. Did you hear that Mr. Toker had come down in reference to that handbill?—I did, that he came down and called himself the author.

402. Did you see him yourself?—No I did not.

403. Did you, while Mr. Toker was in the town, in consequence of having heard that a large crowd had assembled, go out?—I was sent for two or three times on account of a very great disturbance and excitement in the market-place.

404. What had that reference to?—Particularly in reference to Mr. Toker having been attacked by the mob, and having taken refuge in a house, and it was reported to me by officials that they were likely to pull the house down to get at him.

405. Was there any excitement on the polling day?—Yes; a very great deal of excitement.

406. When did you hear that Mr. Glover's qualification had been demanded?—I heard it on the day of the polling, in the morning.

407. Did you hear at the same time that he had made a declaration of his qualification?—I heard so, about 1 or 2 o'clock on the polling day.

408. Was the subject of his qualification being demanded, a matter of notoriety in the borough?—It was the subject of great interest among the crowd on the hustings, and among those about it.

Cross-examined by Mr. *Tindal Atkinson.*

409. You do not favour Mr. Glover, do you?—I think I favour him as much as I dare do.

410. Did you vote for him in 1852?—No.

411. Did you vote the other way?—Yes.

412. Your political sympathies are with Mr. Denison and Mr. Wells?—In 1852 I nominated Mr. Lawley.

413. I suppose then you took no part, except as mayor of the borough, in the election?—I did not.

414. I suppose your associations are principallly among those of your own colour in politics?—No.

415. You associate with all, do you?—My associates are of all parties.

416. At the time of the election, I presume the returning officer holds aloof from all parties, does he not?—I hold aloof from all parties.

417. On this occasion did you hold aloof?—I did.

418. In your own house?—Yes.

419. I suppose in your town, as in all the other Yorkshire towns, the partisans of the election were busy in the machinery of the election?—I dare say that if the parties are equally divided, they are sanguine on the election, and I think it is generally the case.

420. What did you do in the course of the day?—I cannot say I was at the hustings on the day of the election from the commencement of the polling day till the conclusion.

Mr. *C. Brereton.*

31 July 1857.

421. On the day of nomination, when the qualification was demanded, where were you?—I think it was the day of the nomination, and that morning the candidates breakfasted with me; early in the morning I was engaged with the town clerk, taking precautions to preserve the peace of the town; then the breakfast took place, and we went to the hustings from my house, and I remained on the hustings till the election was concluded.

422. My learned friend talked about the lower orders at Beverley; Mr. Glover was the popular candidate, was he not?—I cannot say whether he was or not.

423. Do you not know that?—If popular means having a great crowd about him, he might be so.

424. Did they cheer him a little?—They screamed a little, there were so many children.

Re-examined by Mr. *James.*

425. I believe you invited Mr. Glover, as well as the other two candidates, to breakfast at your house?—I did.

426. I think you are a medical man?—Yes.

427. Did you visit and associate in the character of a medical man with all classes?—Yes, I did.

428. Did you hear him talked about before the election, as to his qualification, among all parties?—I have heard it so frequently that it was a matter of common discourse.

[The Witness withdrew.

Mr. *Alfred Crosskill* was called in; and, having been sworn, was Examined by Mr. *James,* as follows:

Mr. *A. Crosskill.*

429. IS your factory at Beverley?—Yes.

430. How many men do you employ?—From 400 to 500.

431. Have you many voters among your men?—From 60 to 70.

432. Are they freemen or 10 *l.* householders?—All freemen, except one or two.

433. You are one of the gentlemen who signed the demand for Mr. Glover's qualification?—Yes, I signed the demand.

434. After the election of 1852, when he was defeated by Mr. Lawley and Mr. Wells, was the subject of Mr. Glover having taken the benefit of the Insolvent Act in Ireland known in the borough?—About a year or a year and a half after I heard it currently spoken of.

435. He had taken the benefit of the Insolvent Act in Ireland?—Yes.

436. Was the question before this election of 1857 of Mr. Glover not having any Parliamentary qualification known in the borough, and was it the subject of discussion?—It was currently talked about when he first came to the town.

437. In 1857?—Yes.

438. Did you hear that commonly discussed among a large number of the electors?—Yes, in common conversation about the election it was often mentioned.

439. Was it notorious?—Yes, unquestionably.

440. Do you recollect seeing these handbills circulated through the borough, impugning Mr. Glover's qualification?—Yes.

441. Did you see them in the shop windows in different parts of the town?—On the day before the nomination I did.

442. Was the notoriety of the subject as to the qualification one of the causes of your thinking it right to demand Mr. Glover's qualification?—Yes, certainly.

443. Did you see people reading those handbills?—In crowds; they attracted very great attention.

444. Did you hear the matter discussed amongst them?—Yes.

445. Do you recollect at the time after the qualification was demanded Mr. Glover leaving the town?—No, it was only told to me.

446. You

446. You say that you have 60 or 70 electors among your workmen; did you see any of those bills distributed amongst them?—When they returned to their work at noon on Thursday there were two men in the lane distributing them to the men as they came to work.

447. Did you observe voters in your service reading those bills?—Certainly; many of them.

448. Did many of them support Mr. Glover?—Yes.

449. How many?—Nearly 30 voted for him.

450. Did you hear it talked about among your men before the nomination, or before the poll, Mr. Glover's qualification being questioned?—I heard many of my men speak of it in the evening before the poll in the town.

451. Who were they; voters?—Yes.

452. Did you see Mr. Wells's agent's clerk serve Mr. Glover with a notice?—I did.

453. Where was that served?—On the hustings, immediately after the speeches were finished.

454. On the nomination day?—Yes.

455. Did you hear Mr. Glover say anything about it?—No, I did not.

456. After Mr. Glover had been served did he leave the hustings?—Yes; he went from the hustings.

457. Did you see him return to the hustings?—After the notice was served he left the hustings and walked a short way and then returned.

458. After the demand for the qualification had been served, did you go up to Mr. Glover and speak to him on the hustings?—Not on the nomination day, on the polling day.

459. What did you say to him?—I asked him whether he had complied with the notice that had been served on him by the clerk, and he said that he had qualified before Mr. Wylde.

460. Was there much excitement on the polling day?—A great deal in the afternoon more than in the morning.

Cross-examined by Mr. *Tindal Atkinson.*

461. You took an active interest in the success of Mr. Denison and Mr. Wells?—Yes, I did.

462. You did your best to get them returned?—Yes.

463. You used all legitimate efforts and influence with your men?—No; I did not interfere with the men in any way.

464. Did you canvass them?—No.

465. Nor any of your partners?—No.

466. Did anyone come and address the men at your place?—Mr. Glover came into the lane once or twice as they left work.

467. Anybody else?—No.

Re-examined by Mr. *James.*

468. You say that Mr. Glover came and addressed your men in the lane?—Yes.

469. After he had been there and addressed the men in the lane, did you hear a discussion among the workmen as to its being notorious that Mr. Glover had no qualification?—No, I did not.

470. When did he address them in the lane?—I am not quite certain, but I think three or four days previously to the nomination.

471. Were those some of the voters among whom you say the conversation was as to his qualification?—Yes, the same body, I cannot say the same individuals.

[The Witness withdrew.

Mr. *John Nutchey* was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *J. Nutchey.*

31 July 1857.

472. WHAT are you?—I am surveyor to the Commissioners of Sewers for the East Riding of Yorkshire.

473. Have you lived in Beverley all your life?—I was born there; I have not spent all my days in Beverley.

474. Have you lived there for many years?—Yes.

475. Are you an elector?—Yes.

476. You are acquainted with a large number of electors in the town?—Yes.

477. Do you recollect Mr. Glover's standing in 1852?—Yes, I do.

478. After the election of 1852, and before the election of 1857, had you in the town of Beverley, conversations about his having taken the benefit of the Insolvent Act?—I had.

479. Had you had that conversation with many people?—I cannot say as to a great number of people, but generally speaking, in company, this conversation came out.

480. Was it with reference to his qualification for Parliament?—It was in consequence of his having taken the benefit of the Insolvent Act; and the company with whom I heard the conversation expressed themselves that it was exceedingly strange that he should put up for a Member of Parliament.

481. With reference to his qualification?—Yes.

482. I suppose you are aware of the effect of taking the benefit of the Insolvent Act?—Yes.

483. Have you heard that subject much discussed in the town?—Yes, I have.

484. Before this election of 1857?—Yes.

485. Were you on the hustings on the nomination day, when the notice of demand was served upon him?—Yes, I was.

486. What did Mr. Glover do when the notice was put into his hand?—When it was put into Mr. Glover's hand, he did not look at the paper till after the proceedings had terminated on the hustings, and he, with some friends, went below into the market-place; and after having left the entrance of the hustings for a few yards, he pulled out this paper, and read it; and I heard my name mentioned in it, in consequence of having signed that declaration.

487. You were one of the parties demanding it?—Yes.

488. Where did he read this?—About 10 yards from the north end of the hustings.

489. Were there any people round him?—Yes; there were three or four of Mr. Glover's friends round him, but the populace that had been at the nomination had partly dispersed, and when this paper was read they returned back and wanted to know what the property was.

490. Did any number of the populace turn back to the hustings?—Yes; they turned back in front of the hustings.

491. Did Mr. Glover go back on the hustings?—Yes.

492. Did you hear him say anything about his qualification, or the demand for it?—I returned back to the hustings after having heard my own name mentioned below, thinking that some claim would be made against me for signing this paper, and Mr. Glover addressed the people in front of the hustings, and he stated my name most distinctly along with Mr. Crosskill's as having signed this paper, he being a persecuted man.

493. That day before the polling-day, did you hear any rumour in the borough about this qualification?—Yes; I heard something about another qualification on another part of the estate, situate in Kent, and that this was under the lien of a mortgage, or something of that sort; it was merely a rumour of what was taking place; I heard that talked very much about.

494. Before the polling?—On the latter part of the nomination day.

Cross-examined by Mr. *Tindal Atkinson.*

495. Were you a member of Mr. Wells' committee?—No, I was not.

496. Were you engaged for him at all?—I went round to canvass with him.

497. In his company?—I was, on two or three occasions; not all.

498. What occasions were they?—During the time that they canvassed, previous to the election.

499. You took a warm interest in it, did you not?—Yes, I did take a warm interest; I had a very great respect for him.

500. Was it on separate days that you went round to influence the electors?—I went with him on several days.

501. I dare say you called upon several electors?—Yes.

502. How many, 30 or 40?—More than that.

503. Do you know Greenhow?—Yes, very well.

504. Did he canvass with you?—Yes, on some occasions.

505. With you and Mr. Wells?—Mr. Wells would be present, I suppose, when he did.

506. You know the circumstances of Beverley?—Yes, I know the circumstances of Beverley, and I have no hesitation in saying that Greenhow was with us on various occasions.

507. With Mr. Wells?—Yes.

508. When you were discussing these private matters with Mr. Glover, did you hear something of a mortgage on his property?—I heard that some money had been lent on this property in Kent; I understood first that the rumour was about Mr. Glover having a qualification in Ireland, and he had gone under the Insolvent Debtors Act in that country.

509. I suppose the discussion was about the mortgage on this English property?—The second one.

510. That led you to put your name, with some confidence, to the notice?—If I told the truth, which I am prepared to tell, I suggested it.

511. You conceived it, and yours was the hand that signed it?—Yes.

512. You thought the qualification should be demanded of Mr. Glover?—I did, in consequence of the rumours that were prevalent in that town; I thought it absolutely necessary, for the honour of the House of Commons, that an investigation should take place.

513. You had a care about the honour of the House of Commons?—I have a care for the honour of all public bodies.

514. I suppose you think that the House of Commons is very much lowered by the Scotch Members having no qualification?—Not at all.

515. Where does the honour lie?—It is the law of England, though not of Scotland.

516. The honour lies in the qualification being in England, and not in Scotland?—I think the honour lies in every man obeying the law of the land as he finds it.

517. It was from a feeling for the honour of the House of Commons that you served him with notice?—For the honour of the House of Commons, and for my native town.

518. You served him with notice?—I signed it; I did not serve it; it was served in my presence.

Re-examined by Mr. *James.*

519. You say that a rumour was prevalent about his having no qualification as to his Irish property?—That was the first rumour.

520. Was there a rumour also prevalent and notorious about the property in Kent?—It became notorious; he made a visit to Beverley, to give a lecture, and between that and the time of the election it became considerably questioned.

 521. What,

Mr. *J. Natchey.*

31 July 1857.

521. What, did he lecture upon qualification?—No; upon the duties of labour and property.

522. When was it that he came down and lectured on the duties of labour and property?—I cannot say.

523. Was it, between that date and the election of 1857, talked about, his qualification?—No; before he came down to lecture the Irish qualification was talked about; the Irish property was talked about; but after he came down to lecture for the first time I then heard that he had an estate in Kent, after the inquiries that some people had made. I did not make any, but the conversations that I heard in various companies was, that there was a lien upon this property in Kent.

524. In fact, that there was no qualification for that property?—So far that the amount of the mortgage swallowed the whole of the property.

[The Witness withdrew.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 1° die Augusti, 1857.

The Names of the Members were called over; all present.

JOHN ABEL SMITH, Esq., IN THE CHAIR.

The Counsel and parties were called in.

Mr. *Philip Champion Toker* was called in; further Examined by Mr. *Welsby*, as follows:

Mr. P. C. Toker.

1 August 1857.

525. YOU stated yesterday that to your knowledge you had not been served with any summons or proceedings by Mr. Glover with reference to that paper, or any other?—I did.

526. Was what you stated yesterday correct?—Yes.

527. That you had not been served with any summons?—Yes.

528. On returning home last night, did you find this document (*the same being shown to the Witness*)?—It was given no me this morning by my servant.

529. Where do you reside?—No. 15, Great Knight Ryder-street, Doctors' Commons. (*The following summons was handed in.*)

530. Who is Ann George?—I do not know who she is. She was a poor woman who lent Mr. Glover two sums of money, of 40*l.* and 50*l.*, on two notes of hand. A person applied to me to know where Mr. Glover and Mrs. John Toker were to be found.

531. You are charged with inciting one Ann George to prosecute him for being a swindler; state what you know as to any part that you have taken; confine yourself to that?—I know this poor woman sent a person to me for the addresses of Mrs. John Toker, my uncle's wife, and Mr. Glover, and produced two notes of hand to me, and I referred them to my solicitor; that is all I know of it.

532. Have you taken any part in inciting Ann George to prosecute Mr. Glover as a swindler?—None whatever.

Cross-examined by Mr. *Tindal Atkinson*.

533. You know the Oaks estate?—Very well; it was my property.

534. You sold it?—I did.

535. To whom?—To Miss Margaret Grace Toker, my aunt.

536. How much for?—I think it was 8,250*l.* as far as I can recollect, or 7,250*l.*, I think it was.

537. There is a mansion-house, a good house on it, two gardens, and a hot-house?—No hot-house, a small green-house.

538. Is there a double coach-house?—It will hold a carriage, perhaps, and a gig.

539. Is it, in common parlance, a double coach-house?—Certainly not.

540. Are there out-offices?—Yes.

541. That is a house that is fit for a respectable family?—Certainly.

542. Are there 50 acres of land to it?—Close upon it.

543. Do you know whether there are 24 acres of grass, with a cottage and out-buildings?—Yes.

544. Do you know the Oaks Cottage?—Very well.

545. Has it a lawn and gardens to it?—A garden, no lawn; it is very small; perhaps the size of this room, or not so large.

546. Is there a cottage occupied by Mrs. Fox?—Yes.

547. Do you know Cade's Field?—Very well.

548. Is that property occupied by Abbott?—Yes.

549. I believe about 20 acres?—I do not think it is as much; I really do not know exactly, as I never had the occupation of that property.

Mr. *P. C. Toker.*

1 August 1857.

550. Was there a large house that was formerly occupied as a workhouse upon it?—Yes.

551. About 65 *l.* a year for the whole of Cade's Field would be a fair rental?—A great deal too much, I should imagine.

552. If that is the rent that is paid now, it is too much?—I should think so; I do not know what the house lets for.

553. Twenty acres of grass land?—It is arable land.

554. Do you know anything of the Harty property?—I know the Harty property very well, but I cannot give you any decided particulars.

555. Could you not give the quantities?—I can, upon looking at my papers.

556. The Harty estate is divided; a part belongs to John Buck Toker, and the other part belongs to whom?—Miss Toker has a life interest in some of it.

557. Mr. John Buck Toker has a part; has he 357 acres of grazing-land there?—I believe he has. I thought it was a little more. I think it is 370.

558. By the *Committee.*] That is Brewer's-hill?—Yes.

559. What sort of land is it?—It is very fine marsh land. I will not be certain whether some of it has not been broken up since. I have not been there for many years.

560. Looking at it in that light, is it worth 2 *l.* an acre?—I do not think it has ever been let for that; I do not know.

561. Do you think that it is worth 2 *l.* an acre?—I will not venture to give an opinion. I have not had any land in my own hands there. I really cannot tell.

562. Is that your handwriting, without looking at the letter (*a letter being handed to the Witness*)?—That is my handwriting; but this letter, if I am not mistaken, is a letter that I wrote to my late uncle; a letter that came into the possession of my present uncle, and it is a letter that, I believe, Mr. Glover has been most extensively producing.

563. Is that your handwriting (*another Letter being handed to the Witness*)?—Certainly not.

564. You have, I believe, been the subject, in some part of your life, of a charge similar to that which you have made against Mr. Glover?—I have heard of it lately; but certainly, at the time when that letter was written, I understood, through a relation of mine, that such a charge was made against me, and my uncle protested against it, denying it. What is the charge?

565. I said a charge similar to that which you have made against Mr. Glover, of being a swindler?—I have not made that charge.

566. "I was going on very prosperously, until I had a charge made against me of being a swindler; and, indeed, several other charges of a most discreditable nature. The blow was to me so dreadful, that I at once determined to send my wife and family abroad upon an allowance, including schooling, of 800 *l.* per annum; so that I should (after allowing for the payment of interest on different sums of money raised by me) have been enabled to pay off all the different sums of money owing by me in a period not very distant; yet such has been the effect of this dreadful charge of being a swindler upon my feelings, that I have since completely given up all idea of family prospects." I quote this letter, to show that you yourself have been made the subject of a charge of being a swindler?—Quite right.

567. You have an ultimate interest in this property by conveyance?—Yes; I have an interest also, a small one, in some of the property in the Isle of Harty besides.

568. Mr. *James.*] Do you wish to have this letter read?—I do.

The following Letter was read:]

My dear Uncle, Hendon, 26 April 1845.

I AM obliged both to yourself and my aunt for your open opinion of myself and my wife, as it satisfies me, that however anxious I may have been to do my duty by my father's family, that my efforts have been useless. As the die is now cast, I will give you a short history of my proceedings, not for the purpose of raising any sympathy on your parts, but for my own justification. It is now just one year and seven months since I entered into partnership with Mr. Gostling, whose house of business is one of the most ancient in Doctors' Commons, and it was both a great honour and compliment to me to have such an offer of partnership; I was induced to accept it as much on that account as also that, in the event of my sudden death, a provision should be made for my wife and children, and 300 *l.* per annum was accordingly agreed upon for wife's; and the surviving partner would, in the event of either dying, have to pay 300 *l.* a year out of a business worth at the least 4,000 *l.* per annum.

I was

Mr. *P. C. Toker.*

1 August 1857.

I was going on very prosperously until I had a charge made against me of being a swindler, and indeed several other charges of a most discreditable nature; the blow was to me so dreadful, that I at once determined to send my wife and family abroad upon an allowance, including schooling, of 800 *l.* per annum, so that I should (after allowing for the payment of interest on different sums of money raised by me) have been enabled to pay off the different sums of money owing by me in a period not very distant; yet such has been the effect of this dreadful charge of being a swindler upon my feelings, that I have since completely given up all idea of family prospects; indeed even Gostling must have seen how restless and different has been my conduct. It is true I have for years been in difficulties, and striving to conquer them, and with a little assistance I might have done so; but it is now both too late and useless to talk on this subject; I will no longer be separated from my wife and family, and endure such charges as swindling and money hunting; it is better that I should live upon limited means, and give up all future hopes. I have determined to get a small allowance from Gostling, or dissolve the partnership, and sell my business, pay my debts to you, and leave the country. I have intrusted my friend, Mr. Allston, to arrange matters the best way he can with Mr. Gostling; Mr. Allston will also take charge of the plate and diamonds which you some time since gave to us; and as I shall not consider myself for the future in any way connected with England, I shall also beg him to send all those things which belonged to you back again. You need not trouble yourselves any more about me, as I am completely shut out from the world. I now only wish to live for my children, and I shall go to the cheapest part of the Continent I can find, where I may live unknown and undisturbed. You need not write to me, as when you receive this I shall be on my road to Boulogne, to make arrangements for our instantly quitting it, and removing my boys from an expensive school which can be no longer desirable for them to continue at. The thing that most disturbs me now is the pain and annoyance I am about to give to poor Gostling; as to myself, I am nearly distracted. Major Kent expected me at Windsor to-day, to talk over Charley Crespigny's endeavour to oust my wife out of her share of her brother Con.'s property; little does he think what another sad misfortune is about to fall upon him. They say pride will have a fall; it is, indeed, a most true adage. I had a determination, if possible, to uphold my father's family; by doing so I have only met with abuse and ill-treatment from all parties.

569. Under what circumstances did you write that letter to your uncle?—I need not say it is most painful to me to be obliged to state these things, but the fact is, that my uncle was a very violent man, and he had made, in intemperance, some most extraordinary charge against me, as I was informed, and upon referring to him afterwards, he declared most solemnly that he had never made that charge. He attributed that, I am sorry to say, to a brother of mine.

570. How did Mr. Glover get possession of that letter?—My uncle died in 1846, and of course any letters that were addressed to me fell into the hands of his executors. John Buck Toker was one of those executors, and of course they came into his possession. He married Madame Anna de Burgh.

[The Witness withdrew.

Mr. *John Westerby* was called in; and, having been sworn, was Examined by Mr. *Welsby*, as follows:

Mr. *J. Westerby.*

571. DO you live at Beverley?—Yes.

572. Have you lived there all your life?—Yes.

573. Are you an elector?—Yes.

574. I believe you are the collector of the borough market toll?—Yes.

575. Are the electors generally very well known to you?—Most of them; two-thirds, I should think.

576. How many do you know?—About 600 or 700.

577. What is the constituency?—1,100.

578. Do you remember the election of 1852, when Mr. Glover did not come in?—Yes.

579. Do you remember on Thursday morning before the last election seeing a number of handbills in different parts of the town?—Yes.

580. Did any gentleman show you one that he had received from London?—Mr. Thompson showed me one.

581. Is he a member of the corporation of Beverley?—Yes.

582. Did you see electors at various parts of the town reading them?—Yes, in many parts.

583. Had you any talk upon the subject of Mr. Glover's qualification with

Mr. *J. Westerby.*

1 August 1857.

any of his committee?—Yes; I went up to the Beverley Arms, just after I saw Mr. Glover go out, and was talking to Mr. Padgett and Mr. Underwood.

584. Those were members of the committee?—Yes, I suppose so.

585. You found them in his committee-room?—They were at the shop door.

586. Where the committee was held?—No, where Mr. Glover put up at.

587. Did you see him go away on horseback?—Yes; soon after the York coach; ten minutes or a quarter past nine.

588. By the *Committee.*] What day was that?—The 26th, the nomination day.

589. Was that the day on the morning of which those bills came down?—It was just after I had seen one.

590. When did he come back?—I did not see him come back.

591. When did you see him again?—Soon after one or two o'clock.

592. By the *Committee.*] On the same day?—Yes.

593. Mr. *Welsby.*] Were you at the nomination?—I was.

594. Did you see, after the nomination was over, Mr. Glover, with the gentlemen who nominated and seconded him, leaving the hustings?—They passed me a few yards, against Robertson's shop, from the hustings.

595. Did they afterwards turn back, and go on the hustings?—Yes; Mr. Glover turned back, and they followed him, with a paper in his hand.

596. Did he come to the front of the hustings with that paper in his hands?—Yes.

597. Was there a great number of electors in front of the hustings?—Hundreds of those that were going with him turned back.

598. Did he make a speech about his qualification being disputed?—He said he had a notice, signed by Mr. Nutchey and Mr. Crosskill, about his qualification.

599. To what effect?—That his qualification was disputed.

600. Did he say upon what ground?—No, not that I heard of; there was a very great concourse of people in front of him.

601. Did he speak loudly, so that they might all hear him?—Yes, and waved the document.

602. I believe he and his friends went to the Beverley Arms?—I do not know where they went; they went towards North Bath-street.

603. By the *Committee.*] Did Mr. Glover come forward to the front of the hustings?—Yes.

604. Mr. *Welsby.*] Did he say, "Electors of Beverley"?—I cannot exactly say what he said; he had this notice.

605. After that had taken place, did you hear the matter discussed in various parts of the town?—It was the common town talk.

606. What condition was the town in on that day; was it in an excited and turbulent state?—Very much so in the afternoon.

607. On the morning of the polling day how was it?—It was very much excited in front of the Green Dragon; there was a great number of people there, in an excited state.

608. Where is that?—It is directly in front of the hustings.

609. In your judgment, would it have been safe for a person to go there to serve Mr. Glover's voters, one by one, as they came up to the poll?—I should not have liked to have done it myself.

610. Why?—Because I should have been frightened of being mobbed.

Cross-examined by Mr. *Tindal Atkinson.*

611. You are rather a timid man?—No, not at all.

612. I suppose your townsmen were special constables there?—Yes; I saw many of them.

613. Beverley is a very quiet place at a time of election?—Sometimes; the election before was a very quiet one.

614. And before that?—Yes; it was a quiet one too.

615. No excitement?—No.

616. Was everything peaceable?—Yes, I think it was.

617. Is it always so in Beverley?—No, I have seen many rows there.

618. I mean at election times?—Yes.

619. What

619. What situation do you occupy?—I am collector of tolls and market keeper.

620. Who appointed you?—The corporation.

621. Your friends had a majority, had they not?—My friends? They were all my friends; I was unanimously elected.

622. I believe the Liberal party has a majority there?—At present?

623. Yes?—I believe they have.

624. And they mean to keep it, if they can?—I do not know, I am sure.

625. You are not one of them?—No.

626. Was there anybody else's qualification disputed last time?—I heard that Mr. Wells's was.

627. The people about the hustings were so numerous that you were not near enough to hear what was said?—I heard part; I cannot say all the words.

628. You said that nothing was said upon what ground the qualification was disputed?—That he received a notice signed by Mr. Nutchey and Mr. Crosskill.

[The Witness withdrew.

Mr. *Joseph Thorney* was called again; and, having been sworn, was Examined by Mr. *James*, as follows:

629. YOU are a solicitor, and the coroner for the town of Kingston-upon-Hull?—I am.

630. How far is Beverley from Hull?—About nine miles.

631. At the election on the 26th of March, the Tuesday the day before the polling, did you go over to Beverley for any purpose?—Yes.

632. What purpose?—To serve Mr. Glover with a writ.

633. In some action?—Yes.

634. By the *Committee.*] On the day of the election?—On the day before; the Thursday.

635. Mr. *James.*] Did you find Mr. Glover?—After a considerable lapse of time.

636. Did you find, when you got there, that he had left the town for some time?—I did.

637. He returned; did you serve him with the writ?—I did.

638. What was the amount?—£. 45 and some odd shillings.

639. Was it a Beverley case, or from London?—It was from Messrs. Hatchard, the publishers, in Piccadilly.

640. You remained the whole of that day, I believe, in Beverley?—I did.

641. Do you remember Mr. Martin going down?—I do.

642. About the middle of the day were you sent for to Colonel Hutton's?—On the nomination day.

643. Did you sleep in Beverley on that night?—Yes.

644. Do you know Colonel Hutton?—Yes; I was introduced to him, and I knew him as residing in that neighbourhood.

645. Had he acted as chairman for Mr. Glover at the former election?—I believe so.

646. Did you go to Colonel Hutton?—Yes.

647. Do you remember finding Mr. Toker there?—Mr. Philip Toker.

648. Was Mr. Thomas Shepherd, the solicitor, there?—Yes, he was.

649. Do you know whether he had acted for Mr. Glover at the former election?—I believe he had.

650. What was said in the presence of Mr. Glover, Colonel Hutton and Mr. Shepherd by Mr. Toker as to this?—

Mr. *Tindal Atkinson* objected to the question.

The objection was overruled.

651. Mr. *James.*] Did you hear Mr. Toker state anything about the authorship of that handbill which states that Mr. Glover had taken the benefit of the Insolvent Act, and had not a 5*l.* qualification?—He avowed himself the author.

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652. Did he state anything about the fact of Mr. Glover having a qualification?—He said he had got nothing whatever.

653. That you heard him tell to Colonel Hutton and Mr. Shepherd?—Yes.

654. Were any other persons present?—No, not then.

655. Did you also see Mr. Clark and Mr. Alfred Crosskill?—Yes, I did.

656. Did you take them to Mr. Toker?—Yes.

657. Did Mr. Toker make the same statement to them in your presence, Mr. Crosskill being an elector?—Yes.

658. Did you go to Mr. Silvester with Mr. Toker?—I did.

659. Is Mr. Silvester a solicitor?—He is.

660. Was he acting for Mr. Glover at this election?—I do not know that he was.

661. Did you hear Mr. Toker make the same communication to Mr. Silvester, of Mr. Glover's having no qualification, that he had made to the other gentleman?—Yes, to a similar effect.

662. And that he was prepared to prove it?—Yes.

663. Were there other electors at Mr. Silvester's when this communication was made?—There were; they came in.

664. Did they hear it?—They heard it.

665. How many should you say heard it?—Mr. Gilby, Richard Hodson and Mr. Champion came in during the time, and I have no doubt he heard it; he is a solicitor and an elector.

666. Did you return on the polling day to Beverley?—Yes, I did.

667. Had you any communication with Mr. Clark, who was acting as agent for Mr. Denison, as to the expediency of serving notices?—We conferred on the subject.

668. What state did you find the town in?—It was very much excited; so much so that I was afraid to remain on the evening of the nomination day.

669. What class of people were there?—Watermen and half-grown lads; they formed the mobs which I saw.

670. Did you think it expedient or not to attempt to serve each individual voter with a notice?—I dare not have done it.

671. By the *Committee.*] Did you advise against it?—No.

672. You were consulted upon it, and you did not dare to do it; was that merely your own personal feeling as to your own act, or did you recommend others not to do it?—It was my personal feeling.

673. You should not have liked personally to do it?—No, nor sent any one to do it that I had any respect for.

674. Did you express that opinion?—I have no doubt I did.

675. Mr. *James.*] Did you consult with Mr. Clark, who was acting as agent for Mr. Denison and Mr. Wells, as to the expediency, in the state of the town, of personally serving notices?—We had some conversation.

676. Did you decide to do it or not?—It was not done.

677. Why?—I think partly, or altogether, on account of the excited state of the town.

678. You mean that you should not have liked to be the hand to have done it?—No, nor yet to have appeared in it in any way, nor to have sent any person to do it.

Cross-examined by Mr. *Tindal Atkinson.*

679. Would you have thought it desirable, if it had been necessary, to serve those notices with your own hand as a matter of practice?—I think I should at Beverley.

680. Do you know how many you would have had to serve?—If I had served every voter, I should have served about 1,000.

681. Do you mean to tell the Committee that you would have undertaken to have done it with your own hand?—At one booth; I would have been present at one booth to serve myself, and seen that the others were properly done.

682. Do you know how Colonel Hutton voted?—I do not.

683. Nor Mr. Shepherd?—I do not know.

684. Nor any of those names that you have given?—No.

Mr. *James* stated that neither Mr. Shepherd nor Colonel Hutton voted.

685. As to Mr. Crosskill, there is no doubt that he voted; he voted, of course, with his party?—I believe he did.

686. Mr.

686. Mr. Silvester did not vote at all?—I believe not; I have no knowledge.

687. Mr. Gilby voted for Mr. Glover, and Mr. Hodson against, I think. Mr. Champion voted for ——. Out of this list there were only two that voted for Mr. Glover. You say you had a conversation with Mr. Clark about the serving of notices?—I had.

688. Who was present besides you and Mr. Clark?—I believe no one heard ——; others might have been in the room, but no one else would hear it.

689. Just give me, accurately, the conversation that took place?—I am unable to do that—to give you the words.

690. Give us, as near as you can, the words you used?—The substance was—either he asked me, or I asked him, whether it was not advisable to serve notices; whether they should not be served.

691. Did you say that to Mr. Clark?—I cannot remember whether he said it to me, or I said it to him.

692. What was the reply to that?—The result of the conversation, whether it was the reply or not, was, that it was not advisable.

693. Was there any reason stated why it was not advisable?—Yes; the town was in too excited a state.

694. Were there special constables there?—There were.

695. How many people altogether, do you think, at that time were there, about the polling booths?—They varied very much.

696. About the polling booths?—Yes.

697. Was there, at any time of the day, about the polling booths more than 50 or 60 people?—Yes.

698. When?—The whole of the day.

699. Was there a barrier outside the polling booth for people to pass in without being pressed by the population?—I think not; there was a small flight of stairs.

700. Was there a barrier outside?—There might have been; I cannot say that there was not; I did not go up.

701. Was there a barrier, or not, outside?—I think not.

702. Were there any constables?—There were.

703. Round the door?—Yes.

704. Was there any physical difficulty in the world for you to have posted upon the side of the polling booth a notice of the disqualification?—I think it would have been torn down before it was put up.

705. Was there any difficulty in posting up the bill at the side of the polling booth, at the top of the flight of steps?—There was no physical difficulty, but the consequences would have been such, in my apprehension, that I would not have dared to have done it.

706. Never mind that; if you had printed it, and had ordered it to be posted up, there was no physical difficulty in doing it?—No.

707. How many booths were there?—Four.

708. Were they in different parts of the town?—No, all together.

709. Were the police and constables about the place?—I saw no police; I saw the special constables.

710. Then if you had sent a bill-sticker with the notices, do not you think that there was sufficient force there to enable a man to put the notices up; never mind what would have become of them?—Or of him?

711. Leave the consequences to the Committee; give us the facts; I again ask you, and press you upon it: do you mean to say that there were such circumstances as would have prevented you physically from sending a bill-sticker to stick the bills on the side of the polling booth?—That would depend upon whether they knew what the bill-sticker was going to do.

712. Was there any physical difficulty in a bill-sticker posting the bill up?—None but what I have mentioned.

713. What physical difficulty was there?—He would have his head broken.

714. How do you know that; that is your speculation?—I nearly had my own broken.

715. Could it not have been done in the night time?—Yes.

716. It never crossed your mind to send a bill-sticker to post it up at night?—No, it did not; it would never have been possible in the morning.

717. That is your inference; you are not the people of Beverley?—No.

718. Therefore, in casting this aspersion on the people of Beverley, that they

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are inclined to break the peace, and break people's heads, that is your own evidence. Did you have any bills printed at all?—I had none; I had nothing to do with the printing.

Re-examined by Mr. *James.*

719. You are the coroner for Hull; were you retained or acting for Mr. Wells or Mr. Denison?—I had canvassed a few votes in Hull for them.

720. Were you acting as their solicitor?—No.

721. You state that if the bill had been put up, it would have been torn down; is that so?—Certainly.

722. Would it have been dangerous for a man to have served notices, or useless to have done it in that way?—Yes, it would have been dangerous, and the utility would depend upon the number of those who saw it.

723. While you were there, and after this scene had occurred, did you hear it conversed about in the borough that the qualification was disputed?—Yes; the prominent topic.

724. By the *Committee.*] The day before the nomination till when?—Until five o'clock in the afternoon of the nomination day; I then returned the next day, being the polling day.

725. It is your opinion, that the fact of the qualification having been disputed was notorious in the borough?—It is my undoubted opinion; I have not the slightest doubt about it.

726. Before the day of the polling?—Yes.

[The Witness withdrew.

Mr. *Luke Hind* was called in; and, having been sworn, was Examined by Mr. *Welsby*, as follows:

Mr. *L. Hind.*

727. I BELIEVE you are clerk in the office of Messrs. Leman & Clarke, solicitors?—I am.

728. They have offices at York and Beverley?—Yes.

729. You are a clerk at York?—Yes.

730. Were you at the Beverley election, assisting Mr. Clarke in conducting the election for Mr. Denison and Mr. Wells?—Yes.

731. Were you there on the Thursday, the day before the nomination?—Yes.

732. Do you remember, on the morning of that day, meeting John Ramshaw, one of the petitioners against Mr. Denison, in the market-place?—Yes, very well.

733. Did he show you a copy of that anonymous hand-bill?—Yes.

734. Did you see others of them exhibited in the shop-windows?—Yes, several.

735. Were you present at the nomination the following day?—I was.

736. You were amongst the crowd in front of the hustings?—Yes.

737. Were the hand-bills the subject of conversation amongst the crowd?—Yes.

738. Was the disputing of Mr. Glover's qualification talked about amongst the crowd?—Yes, pretty generally through the crowd.

739. After the nomination was over, did you see a number of people near a place called Robinson's Corner?—Yes.

740. About 50 yards off from the hustings?—Yes.

741. Was it a considerable crowd?—Yes; I should think at least 150.

742. In going up to the crowd, did you find Mr. Glover and some of his supporters in the middle of it?—Yes.

743. Had he a paper in his hand which he was reading?—Yes.

744. Did you learn from his reading that this was a notice served upon him to declare his qualification?—Yes.

745. Did you hear the names of Mr. Crosskill and Nutchey read?—Yes, I did.

746. Having read it to this crowd, did he and the crowd go back to the hustings?—Yes.

747. Did he go on the hustings?—He did.

748. Did he come to the front of the hustings with the paper in his hand?—Yes, the same paper that I saw in his hand first.

749. What

749. What did he say or do when he was there?—He made an observation to the effect that his qualification was disputed.

750. Do you mean to himself, or to the people in front?—To the people in front.

751. Do you recollect the terms in which he did so?—There was a considerable noise at the time and confusion, but that was the impression that we all got that were in front; the statement that his qualification had been disputed.

752. Was there a considerable crowd there then?—Yes; before that, the crowd had partly left the hustings, but that confusion brought the crowd back again to the hustings; there were several hundreds there.

753. Were you up and down the town in the course of that afternoon?—Yes.

754. Did you hear the same matter talked about in various places?—Yes.

755. On the polling day you were agent in one of the booths for Messrs. Denison and Wells?—Yes.

756. Booth No. 2?—Yes.

757. Were all the booths together in one part of the town?—Yes.

758. What part?—On the hustings, at each corner.

759. Where was the hustings; in the market-place?—Yes.

760. In the large square of the market-place; the booths were all there?—Yes.

761. During the polling was the hustings surrounded by a crowd?—Yes, all the day.

762. Do you know, from your own knowledge of the people, whose supporters they were principally?—Mr. Glover's supporters principally.

763. In what state did they appear to be; were they quiet or excited?—Excited.

764. Was there much noise?—Great noise.

765. From what you observed on that occasion, supposing notices had been attempted to be served on the electors as they came individually to the poll, what would have been the consequence?—A riot, no doubt of it.

766. Would you have liked to have done it?—No, I would not have undertaken it on any account.

767. We hear that there were some special constables; how many, do you know?—I think there would be 40; I think I noticed, perhaps, more.

768. From what you heard and saw, can you state whether the fact of Mr. Glover's qualification being disputed was or was not notorious throughout the town?—Throughout the town.

Cross-examined by Mr. *Tindal Atkinson.*

769. Are you in any way connected with the registrar of Beverley?—Yes, I am brother to the deputy-registrar.

770. He is, I believe, a very active gentleman on the other side?—He used to be.

771. Did he not take any part in the last election?—He did not.

772. You did?—I did.

773. Your employers are agents to Lord Wenlock?—Yes.

774. Do Messrs. Clark and Leman generally take a part in those elections?—Yes.

775. A very active part, do they not?—No; Mr. Clark took an active part; Mr. Leman conducted the York election at this time.

776. They do election business professionally?—Yes.

777. Had you a retainer for this election?—No.

778. What were you doing there without it?—I went according to my instructions from my employers.

779. I mean your firm?—Yes, my employers.

780. Had they a retainer for the election?—I do not know.

781. Do you know much of Beverley?—Yes; I was born there.

782. Is it the practice of the Beverley people to break people's heads and violate the law?—Yes; I have seen that done.

783. It is the practice, is it not?—No, not generally; I saw it at one election.

 784. When

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784. When they do break heads it is the exception, is it not?—It has not always been the case.

785. The last election but one we are told was a quiet election; the election of 1852?—Yes, it was.

786. Had you a retainer; did your firm interfere at that election?—I went to Beverley under their instructions; they were for Mr. Lawley.

787. Mr. Lawley is Lord Wenlock's son?—Yes.

788. Were you at the election before that for Messrs. Clark and Leman?—Before the election of 1852 I was.

789. Were they engaged in that election?—Yes.

790. For whom?—Mr. Townley.

791. Then there was a bye-election since 1852; were you in it?—Yes.

792. Messrs. Clark and Leman again?—Yes.

793. For whom were they then?—Mr. Gordon.

794. You have always been on that side of the question?—Yes, decidedly.

795. And you looked with a very great deal of interest upon the result of your party being returned?—Certainly.

796. You do not look with a very favourable eye on the other side?—No, certainly not.

797. Was there any difficulty, from what you saw, in posting up in the evening or at night, a notice on the side of the polling-booths?—What night?

798. Before the nomination, or the night of the nomination?—Not in the night-time.

799. You saw the polling; was there any complaints made to the returning officer about obstructions to the poll?—No, not that I know of.

800. Were there special constables round the entrance to the polling-booths?—Yes.

801. Was there any disturbance at all of the people coming in and going out, after they had voted?—Yes.

802. When?—At noon.

803. In what case?—I do not remember now the name of the voter.

804. Did not you put out a statement, placing Mr. Wells ahead at that time of the day?—No.

805. Do not you know that it was put out?—Yes.

806. It was a false statement, was it not?—Yes.

807. Did it excite any inquiry on the part of the people?—It was a false one, put out by Mr. Bainton.

808. You knew that of your own knowledge?—Yes.

809. You saw Mr. Bainton do that?—Yes.

810. Mr. *James.*] Who is he?—He proposed Mr. Glover on the last election.

811. Mr. *Tindal Atkinson.*] Was not Mr. Wells put ahead in that report?—No.

812. Do you say that?—Not that Mr. Bainton put out.

813. Was not Mr. Wells on the placard put ahead?—Before Mr. Bainton went up it stood Denison, Wells, and Glover; then afterwards Mr. Bainton put Mr. Glover second; but I do not know the number.

814. I am told that he was?—Mr. Glover?

815. Yes?—It was thought not; it was altered afterwards by the mayor, I think.

816. Did Mr. Bainton correct Mr. Wells' statement?—Mr. Wells had Mr. Bainton's statement corrected afterwards.

817. You said it was Mr. Wells' statement?—No.

818. Let us have this straight: was there a statement put out which placed Mr. Wells before Mr. Glover?—Certainly.

819. Who put it out?—I cannot say.

820. Then there was a statement put out by Mr. Bainton to correct it?—Just so; that was after the Woodmansey voters came up.

821. That false statement was the first one; who put it out?—Mr. Wells ahead?

822. Yes?—I do not know, I am sure.

Re-examined

Re-examined by Mr. *James*.

Mr. *L. Hind.*

823. Mr. Wells was ahead till twelve or one o'clock?—Yes, truly so; he was ahead.

[The Witness withdrew.

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Mr. *Daniel Boyes* was called in; and, having been sworn, was Examined by Mr. *Welsby*, as follows:

Mr. *D. Boyes.*

824. DO you live at Beverley?—I do.

825. You are an elector, and have been a member of the corporation for a long time?—Yes.

826. Were you chairman of the committee of Messrs. Denison and Wells?—I was.

827. I believe you have lived in Beverley all your life, and have taken an active part in election matters?—Yes, a great part of my life.

828. Did you see those hand-bills that were circulated throughout the borough in the shop windows and elsewhere?—Yes, that were sent by Mr. Toker.

829. Did you see a number of electors reading them?—I did.

830. As to the excitement that prevailed in the town on the night of the nomination day, was your house attacked?—Yes.

831. And the windows broken?—Yes.

832. Were you hurt yourself?—I was.

833. With what?—With cudgels, being struck at with cudgels apparently sawn from the legs of chairs that had been manufactured at a cabinet-maker's shop, no doubt; I was likewise struck very severely on the back with a rail which had supported an effigy which they had brought opposite my door to burn. An effigy composed of several bottles of straw incased in a wool sheet; at the time that I got home, this wool sheet, which I apprehend had been to represent the effigy of Mr. Martin, who came down to make certain exposures as to Mr. Glover; Mr. Martin, the barrister.

834. Mr. Martin having been burnt, they converted the pole that supported him into a weapon against you?—Combustible matter and straw; and seeing that it was partly burning in my passage, and partly in the street, I was afraid that the staircase would be set on fire which immediately adjoined.

835. You were struck?—Yes, with pushing the mob out and defending my own property; and being all of combustible matter illuminating that part, I could not see the mob, but they could see me; I got pelted at with brick-bats and struck with cudgels.

836. Was there a large mob there?—A very large mob.

837. Whose supporters were they?—Mr. Glover's, I believe, principally; there is no doubt of it.

838. Was there excitement throughout the town generally?—It prevailed to a very large extent.

839. From what you observed, would it have been safe to have served the electors as they came up with notices of Mr. Glover's disqualification?—No person could have been found with courage enough to have done it.

840. Would you have done it; I would not have done it with the example of the night before; my head broke and my hand hurt very much.

841. Can you state whether the fact that Mr. Glover's qualification was denied was or was not notorious throughout the borough?—It was the subject of conversation, more particularly so, inasmuch as Mr. Martin, I understood, had come down to expose and make certain disclosures respecting Mr. Glover's qualification, and his other imperfections, probably; and likewise Mr. Toker coming down immediately after; in consequence of which the town was in a very excited state, and both of them, in my opinion, were in imminent danger of being severely maltreated, and probably they might have been half murdered; those men having come to expose the want of qualification, and the moral character, I dare say, of Mr. Glover, and all other matters connected with him, gave rise to riots, and it was sure to be the main topic of conversation through the town.

842. From what you say, I understand you to mean that it was notorious?—Yes.

Cross-examined by Mr. *Slade*.

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843. I suppose what you mean was notorious; was this scurrilous and anonymous—the hand-bill?—There is no doubt it was, which contained a great many questions.

844. Of a very impertinent kind; did your committee issue that, disavowing all connexion with it (*a paper being shown to the Witness*)?—It is very likely they did; I believe they did.

844. Did you, as chairman of the committee of Mr. Denison and Mr. Wells, authorise the issuing of that hand-bill, disavowing all connexion with the anonymous hand-bill that had been sent down?—I did not; but I believe it did come from our party for all that.

846. "The committee of the Liberal party entirely disavow any authorship of the placard making certain charges against Mr. Glover; the author of the placard has been in Beverley this afternoon, and stated to Mr. Silvester, Mr. Hodgson and others, that he was well known to Mr. Glover, and that gentleman will have no difficulty in taking any proceedings he may think fit. Committee-room, Toll Gavel, Friday afternoon, 27th March 1857." Did that proceed from your committee-room?—I believe it did.

847. You mentioned the name of Mr. Martin; who is he; is he the editor of the Sun paper?—I have heard so.

848. You have no doubt about it?—I have not.

849. Was a placard issued, signed by several gentlemen, electors of Beverley, with reference to Mr. Martin, stating that Mr. Martin had distinctly repudiated all connexion with that libellous hand-bill?—If you will show me the bill I should know it. (*The placard was shown to the Witness.*) I have no doubt it was circulated by the partisans of Mr. Glover.

850. Are you sure of that; is Mr. Silvester a partisan of Mr. Glover?—I have no doubt that he was, though he did not vote; I believe, then, that he acted for him.

851. I suppose you were not a partisan?—I am.

852. A pretty warm one?—Yes.

853. Do you go by the name of "The Prime Minister of Beverley"?—I never heard the observation before.

854. Have you not had all the loaves and fishes ever since the Municipal Corporation Act?—I never have.

855. But your friends have?—No.

856. Then you are not the "Prime Minister of Beverley," nor known by that name?—Not that I know of, until you dubbed me.

857. Is Mr. Gilby, who signs this, a partisan of Mr. Glover's?—Very strong indeed.

858. Did he vote for him?—Yes, he did vote for him.

859. This was put out after the anonymous and libellous hand-bill, as it was called?—I did not.

860. But your committee did?—I know nothing about that committee.

861. Your committee call it a libellous hand-bill; was this put out signed by Mr. Silvester, Mr. Gilby, Mr. Arthur Hodson and Mr. Champion after that libellous hand-bill had been placarded?—No doubt of it.

862. By the *Committee.*] Are those gentlemen all supporters of Mr. Glover?—I believe there is one that did not vote for him there; but, at the same time, I believe he was a silent supporter.

Re-examined by Mr. *James*.

863. This placard says, "The committee entirely disavow the authorship of certain charges;" you are aware that this placard, besides containing the statement as to Mr. Glover passing through the Insolvent Court, contained other charges?—Yes.

864. The committee disavow certain charges?—Yes.

865. "The author of the placard has been in Beverley this afternoon, and stated to the solicitor, Mr. Hodson, and others, that he was well known to Mr. Glover, and that gentleman will have no difficulty in taking any proceedings." Were you aware that Mr. Toker had been and avowed himself the author, and that

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that he was prepared to prove what he had stated?—I was aware that he had been in the town at that time.

866. Had Mr. Shepherd acted for Mr. Glover in 1852?—He had.

867. As solicitor?—As agent; Mr. Thomas Shepherd was the recognised agent, and several other solicitors were what I may term sub-agents.

868. In the election of 1852?—Yes; one of whom was Mr. Silvester, and he was paid for it.

[The Witness withdrew.

Mr. *Thomas Denton* was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Mr. *T. Denton.*

869. WHAT are you?—I am not in any profession; I live on my own property.

870. How long have you resided in Beverley?—Fifteen or 20 years; I have known the place all my life.

871. In 1852, were you a supporter of Mr. Glover at that election?—Yes.

872. Were you on his committee in 1852?—No.

873. After the election of 1852, from circumstances that came to your knowledge, had it become known that Mr. Glover had taken the benefit of the Insolvent Act in 1849 or 1850?—Yes.

874. Before the election of 1857?—Yes, certainly.

875. Was it known generally?—Yes; I should say so, as far as my observation went.

876. Were you sued for some of the expenses of the election of 1852, which he had left unpaid, in the county court?—A demand was made upon me, about two years or more after the election of 1852, for some of the election expenses.

877. How much?—I ought to state that application was first of all made to me a short time after the election of 1852, I believe, by some member of Mr. Glover's committee, to contribute to the expenses of his election; I objected to contribute to those expenses, and there was an end of it; but about two years afterwards a demand was made upon me for a small amount, some 5*l.* or 10*l.* election expenses.

878. Were you sued in the county court?—Yes.

879. For 5*l.* or 10*l.*?—Yes.

880. As one of his committee?—No.

881. What as then?—I do not know.

882. Did you apply to Mr. Glover, and intimate the facts to him that you had been sued for this debt of 5*l.* or 10*l.*?—No: I applied to his committee.

883. What became of it?—The plaintiff was non-suited.

884. Those facts, and other matters which you have stated after the election of 1852, on the question of his having a qualification for Parliament, became talked of in the borough?—Yes, decidedly.

885. I believe you declined to support him at this election?—Yes.

886. Having been a supporter of his in 1852, can you tell the Committee whether, before the polling-day in 1857, the objection of his not having a qualification was talked of in the borough extensively?—Yes; it was the subject of conversation all over the borough; I mentioned it, and spoke about it to a great number myself, and heard it on all sides.

Cross-examined by Mr. *Slade.*

887. I suppose that was after the publication of this handbill, was it not?—No, I had known it a long time before.

888. Why did you not make it known?—Because Mr. Glover was not in the field; there was no election taking place.

889. When he did come into the field, if you knew it, why did you not make it known?—I did.

890. How?—Merely in private conversation; my own private opinion.

891. Just tell me anybody to whom you said that he had no qualification to your knowledge; any one individual voter?—I can mention the name of a man named John Eldon.

892. Who is he?—He is a farmer.

 893. A voter?—

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893. A voter?—Yes.

894. Anybody else?—Yes, it was the subject of common conversation on all sides.

895. I am talking about your own knowledge; did you ever mention it to any one except John Eldon that you knew it of your own knowledge?—Yes; I do not say of my own knowledge. I mentioned that I believed he had no qualification, and I had reasons to believe it; I can speak of my own knowledge about Mr. Glover's means; I can speak of the conversation that I heard on all sides and common report; that is all I can state; I mentioned that I heard it spoken of on all sides.

896. You know that Mr. Glover spent 700 *l.* on this election?—No; indeed I did not know that.

897. Have you not read the auditor's accounts?—No.

898. Have you not seen the account published in the newspaper?—No, I never recollect seeing it.

899. Who told you that he had no qualification?—I think, as far as I can recollect, it oozed out at Canterbury.

900. That is what you call of your own knowledge?—No.

901. Then of your belief?—No, I heard of it then.

902. That is the ground of your belief?—No, I did not say that that was the ground, but that was one.

903. Can you give us another?—I do not know.

Re-examined by Mr. *James.*

904. I suppose your being sued for this 5 *l.* or 10 *l.* led you to a little belief on this subject?—Yes, and the fact of being applied to to contribute to his election expenses.

905. What was the amount of the election expenses that remained unpaid?—I do not know.

906. A considerable sum?—I should say so; I should imagine more than 700 *l.*; I have heard it estimated at more.

907. Did the non-payment of those amounts, and your being sued, raise a question in discussion as to his qualification, which oozed out at Canterbury?—Yes, that was one thing that raised the question, but we heard it on all sides.

[The Witness withdrew.

Mr. *James* stated that this was the case for the Petitioners.

Mr. *Tindal Atkinson* was heard to address the Committee on behalf of the Sitting Member.

Mr. *William Elliot* was called in; and, having been sworn, was Examined by Mr. *Dunbar*, as follows:

Mr. *W. Elliot.*

908. YOU live at Ospringe?—Yes.

909. Have you lived there all your life?—Yes.

910. Do you know this property, the Oaks?—Yes, well.

911. Have you examined it to form an estimate of the value of it?—Yes.

912. By the *Committee.*] What are you?—A miller.

913. Mr. *Dunbar.*] You know every bit of this property very well?—Yes.

914. Do you know this house and two gardens?—Yes.

915. And the coach-house, and the stable, and the offices; what yearly value would you put on the house and offices, and 50 acres of land?—I should say it is worth 350 *l.* to 360 *l.* a year.

916. I mean the house, "the Oaks," and the woodland only?—I should think is worth that.

917. Do you know that 24 acres of grass land and cottage "The Orchards"?—Yes.

918. What value would you put upon it?—I know the value of land that our neighbours are giving; my brother pays 2 *l.* an acre for land that adjoins the Oaks property.

919. You put 2 *l.* per acre on the 24½ acres?—Yes.

920. By the *Committee.*] Is that the land that has been let at 55 *l.* a year?—

921. Mr.

921. Mr. *Dunbar.*] Yes. (*To the Witness.*) You mean without the house?—Yes.

922. What value do you put on the cottage?—About 6 *l.*

923. By the *Committee.*] Did you not say that the property adjoining let for 3 *l.* a year?—No; my brother pays 2 *l.* an acre for the land that adjoins it, and that is cheap, because the rent will be raised when the lease is out.

924. The cottage lets for 6 *l.*?—Yes.

925. Mr. *Dunbar.*] Do you know the Oaks cottage?—Yes, Mr. Roberts'.

926. The house and garden, what value do you put on them?—£. 30. a year at least, and that is cheap; I believe it has gone at 40 *l.*

927. Do you know the cottage occupied by Mrs. Fox?—Yes.

928. What value do you put on it?—It lets now for 10 *l.*

929. By the *Committee.*] What is this cottage?—Just beyond the Little Oaks; it lets for 10 *l.*; Mrs. Fox pays 10 *l.* for it.

930. The Little Oaks is a cottage with a small garden belonging to it?—Yes.

931. Is that cottage included in what is called the Oaks?—Yes, it is all the Oaks estate; it is right that I should state that my grandfather lived 72 years on the estate, and my uncle lived 52 years there.

932. Do you know the estate called "The Harty Estate"?—Yes, I do; I know the Harty estate; I had been over it, and I know what the land is worth over there.

933. Do you know the portion of it belonging to Mr. Toker?—I should say so; I should say, according as I can reckon it up, there are pretty well 640 acres with the Salts altogether, with the estate on the Island, reckoning the Salts where the sea flows over; they can feed off it at different times.

934. What value do you put upon that per acre?—I should say it is worth from 35 *s.* to 2 *l.* an acre.

935. By the *Committee.*] All round?—Yes.

936. Does that apply to the whole 640 acres, or only to that portion which is not covered by the sea-water?—That part which is not covered; that part which is not covered is not so much worth.

937. Do you mean the Committee to understand that the 640 acres to which you allude is worth 35 *s.* to 40 *s.* an acre?—It could be made worth; there where the Salts are, by the water draining away from it after it comes over the Salts; there is very little of the Salts; not more than 20 to 30 acres of the Salts.

938. Are there nearly 600 acres without the Salts?—Yes; at times they feed upon the Salts now.

939. Is that what you call a salt marsh?—Yes.

940. Mr. *Dunbar.*] How much of the Salts is there?—Twenty to 30 acres, perhaps.

Mr. *Dunbar* stated that he would now put in the different deeds under which he claimed.—(*The same were handed in.*)

Cross-examined by Mr. *James.*

941. Have you been much in the habit of valuing land; you are a surveyor?—I have been in the habit of buying a good deal of wheat off the land.

942. Have you been much in the habit of valuing land?—Not much in the habit of valuing land, but I know good land; I know the wheat that comes off good land.

943. Are you in the habit of valuing land?—No, not particularly in the habit of valuing land, but I have a brother who has land attached to it, and he pays the same for it; one land on one side of the hedge is quite as good as the other.

944. You are not in the habit of valuing land, but you have a brother that is?—A farmer who occupies land adjoining the estate.

945. Have you ever given any evidence of any valuation in your life?—Not of land.

946. Did you ever value a house for any purpose?—No.

947. What is the house worth, "The Oaks"?—It is very valuable now the railway is coming down; it is a very valuable place.

948. What should you say for the house; what is it rated at?—I cannot say; I do not know what the rates are; I should say for anybody to hire the woodland, and the shooting all sorts of game, it is worth 350 *l* a year.

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949. In the meadow?—No, in the woods; Squire Hyde's property is attached to it, and there is a great deal of game.

950. Who shoots over it?—A parcel of poachers; they will come; they know where the game is.

951. Does anybody preserve it?—That I do not know; it ought to be more preserved than what it is; it is in a dreadful state now; those tenants that are there now.

952. Miss Toker is living there?—I am not alluding to the house, but to the people who hold the meadows there.

953. The mortgagees are in possession of the whole, are they not?—Yes; but they have shocking bad tenants.

954. Are the mortgagees in possession?—I do not know.

955. Will you swear that you do not know that the mortgagees are in possession of the whole of this valuable property, at a lease of 5 *l.* a year?—I do not know that.

956. Who is living in the house?—Captain Toker is living in the house at times, and his sister.

957. Mrs. Toker?—Yes.

958. And Mr. Glover?—He occasionally comes down.

959. Is that his residence?—He is there sometimes; he comes down occasionally.

960. What should you put the house at?—Without the woodland?

961. Yes?—If you take it as it is, and about 80 acres of the woodland, with the shooting?

962. No, the house; you have come to give the valuation on oath?—I will tell you what I know.

963. Did you ever value a house in your life?—No; but I know the rents of houses.

964. What do you put the rent of the house at?—Without the woodland?

965. Yes?—I should say the house is worth 150 *l.* a year.

966. What is the size of it?—It is a very large house, and very nice gardens.

967. Do you know that Miss Toker pays 60 *l.* a year for the whole house and woodland?—No; I did not know anything about it.

968. The house at 150*l.* Now come to the woodland; I suppose this wood is realised about once in seven years; is it cut for hop poles?—Once in 14 years.

969. What do you put the woodland at?—As high as 40 *l.* an acre, and some as low as 18 *l.* an acre.

970. By the *Committee.*] Frechold value, or what?—No, when it is sold for hop poles; the woodland.

971. Once in 14 years it is worth 40 *l.*?—Yes, the chesnut plantations.

972. Mr. *James.*] Are you competent to give the valuation, on oath, of this?—I know that some has been sold at 40 *l.* a year.

973. Are you competent to give the valuation of the yearly rent of that timber?—Yes.

974. Have you ever valued an acre of woodland in your life?—I have seen my father value a great many close to the same wood, and he has given 30 *l.* an acre.

975. What do you put them at?—One with the other, at 18 *l.* to 20 *l.* an acre.

976. To let or to sell?—To sell the underwood, 14 years' growth.

977. By the *Committee.*] Eighteen or twenty pounds you take as the average value of the wood once in 14 years?—Yes.

978. What wood is it?—A good deal of it is chesnut.

979. Mr. *James.*] What do you put the land at?—The meadow land is worth, I should say, 2 *l.* an acre.

980. What is your whole valuation of this property; 350 *l.* to 360 *l.* per year?—That is what I should say it is worth.

981. You say that Miss Toker lives there?—Miss Toker was born and bred in the house; not all her life; she has been away for some time; but the family seat was where they were brought up, Miss Margaret Toker; my grandfather lived 72 years in the family.

982. Do you know anything about "Brewers"; have you valued it?—In the Island?

983. Yes?—No, I have not valued it.

984. Where did they find you to give your evidence?—Always at home; I have never been away from home.

985. Where do you come from?—Ospringe, in Kent.

986. It is a small water-mill there, is it not?—A water-mill and a windmill both.

Re-examined by Mr. *Tindal Atkinson.*

987. You are known as a miller, at this particular place?—Yes, I am a miller by trade; not in business at the present time.

988. Whether you are a surveyor or not, have you, from a very large inquiry as to the land in that neighbourhood, acquired some knowledge that people about acquire as to the rents?—Yes.

989. You have stated what you believed to be the value of the property, without favour or affection?—Yes; what I should give for it myself.

990. What does land sell for in that neighbourhood?—£. 100 an acre; Mr. Martin gave 100 *l.* for land adjoining.

991. By the *Committee.*] Free of rent?—Freehold property.

992. Mr. *Atkinson.*] Something has been said about the railway; is that coming in that neighbourhood?—Yes, very close to it.

993. I believe it will be opened very shortly?—Yes, very shortly; it was said about September.

994. You have been asked about this house, is it a gentleman's house?—It is.

995. A large capacious gentleman's house?—Yes, it is.

[The Witness withdrew.

Mr. *John William Ide Cousins* was called in; and, having been sworn, was Examined by Mr. *Tindal Atkinson,* as follows:

996. YOU are, I believe, a Land Agent and Surveyor?—I am a land agent.

997. Are you an occupier of land?—No; I have been very largely with my connexions; I was cradled in land; I began life, and have been all through it.

998. You have been employed in the selling of land?—Yes.

999. Have you, from your pursuits, acquired a knowledge of the value of land in the neighbourhood of the Oaks?—I went down there a few days ago.

1000. By the *Committee.*] Where do you live?—In London.

1001. Where?—In Henry-street, Vauxhall; I was called upon to go down.

1002. Mr. *Atkinson.*] Do you value land for auctioneers?—Frequently, when they are in difficulty about it, and they do not consider themselves hardly competent, they get me to go down, knowing that I have been practically in it all my life; I have been farming, and my connexions and friends perhaps 15,000 acres of land in the county of Essex, therefore I think I know something about land.

1003. Did you go down to the Oaks estate?—Yes, I did, I think, on Wednesday.

1004. By the *Committee.*] Last Wednesday?—Yes.

1005. Mr. *Tindal Atkinson.*] Did you find a house upon it?—Yes.

1006. Will you be good enough to give a notion to the Committee what sort of a house it is?—A very excellent residence indeed; it is a capital mansion, in very excellent repair; a capital mansion. The Oaks contains an entrance-hall, a noble staircase, capital dining-room and drawing-room, containing five windows; store-room, housekeeper's-room, butler's pantry, servants' hall, kitchen, a large scullery, brewhouse, coal and wood house, &c. &c. on the ground floor. First floor, capital breakfast parlour, best bed-room, dressing-room and four other bed-rooms and water-closet. Second floor, five bed-rooms, lumber room: double coach-house, a four-stall stable, loose box and harness-room; large granary, and numerous other out offices, all in excellent repair; two walled gardens, hot-house and lawn, with two carriage entrances, beautifully situated, fit for a family of any distinction.

1007. How many acres of meadow land were there there?—It is all meadow; there is no corn at all.

1008. Have you made an entry of it?—I went over it carefully.

1009. Did you find 24 acres of meadow land?—Yes; in the occupation of Mr. Payne.

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1010. Did you find coppice and dry woodland?—Yes; about 50 acres.

1011. By the *Committee.*] What does Mr. Payne pay?—I do not know; I did not inquire about any of the tenants what they paid; I looked at the land myself; as to what I thought it was worth let to anybody else.

1012. What do you consider that land worth to be let at?—I think the orchard ground—I valued some ground the year before last in Kent, and I put it at 5*l.* an acre, and no objection was made to it; I put this at 3*l.*; it is covered with large cherry trees all over, besides the grass; that brings in a considerable income, the fruit, and they generally put that at about 3*l.* an acre all round.

1013. By the *Committee.*] That is 24¼ acres?—Yes; and the house and all 70*l.* a year.

1014. Not quite 3*l.* an acre?—There is a cottage and all.

1015. What do you put the house at?—I put the house, with the woods and all, with the privilege of shooting, which is very good there. I should find a tenant very easily to take it to-morrow at 200*l.* a year for the shooting and all. That is about the value of it in my estimation.

1016. Did you look at the cottage?—Yes, I looked at the Oaks cottage and lawn, a very nice neat cottage, and gentlemanly residence it is.

1017. What do you put it down at?—I put it down at 35*l.* a year.

1018. At what do you put the little cottage occupied by Mrs. Fox?—That is a nice cottage; it contains two sitting-rooms, three bed-rooms, a parlour, and a good kitchen; I put that at 12*l.* a year; it is a nice garden, very pleasantly situated.

1019. Are those figures yours (*handing a paper to the Witness*)?—Yes, those are my figures; that is my valuation.

1020. I see you put 65*l.* to Cade's Field; that is no part of the lease?—Tha shows you pretty well the nature of the land; that gentleman is under notice to quit; there are no fruit trees upon it; he gives 3*l.* an acre for it; that is all plain land; one of the best farmers in the neighbourhood. I understand Miss Toker gave 2,800*l.* for that land for the freehold, and that shows it is a pretty good sort of land.

1021. Have you got up the gross annual rental of the Oaks?—Yes, I bring it to about 317*l.* a year; I should have no objection to have it; if I had the management of it a short time I should make more of it; I think the estate has been most wretchedly managed; the tenants seem to have the best of it.

1021.* Suppose I possessed it and placed it in your hands to sell, what do you think would be the price that you could realise for it?—I think I should put it at about 25 years' purchase; I think I could make 8,500*l.* of it.

1022. £. 7,250 given for it would be a very good purchase?—Very good, indeed.

1023. Have you had your attention directed to the property belonging to Captain Toker?—Yes.

1024. In the Island of Harty?—Yes, I went over it.

1025. Supposing there were 357 acres of it?—I did not take any particular part; I looked at the whole of the Harty estate, 630 acres of it.

1026. Looking at the neighbourhood and the character of the soil, and looking at its general appearance, what do you put it down as being worth per acre?—I should think if I looked round the neighbourhood; I was a stranger there; it is all grass land; it is all burnt up; it is difficult to guide yourself; but looking at the stock upon it I saw 2,000 sheep upon it, 600 lambs and 35 beasts; and I understand that from very good authority the wool off of it came to 700*l.* this year.

1027. What should you put it at as occupation land?—At 37*s.* an acre.

1028. Could you find a tenant for it?—Yes.

1029. By the *Committee.*] What is the acreage?—Six hundred and twenty acres; all the land round has, I should say, produced wheat at seven quarters an acre, and some eight; I never saw such corn in my life. That land will grow it if it was ploughed up; but there is no barn upon it. A gentleman with capital, who knew how to manage it, would directly build a barn; they do not pay so much rent, as they have no expense; a capitalist holds it, and he buys a certain number of sheep, and puts them on it; he keeps two or three men, and it is all profit he makes; but if some Essex farmer had that land who would come in with about 5,000*l.* in his pocket, he would give 1,100*l.* for that farm, and

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and if the question was, whether he would take that farm at that price, or would not, I warrant he would not leave it.

1030. You put it down at 351 *l.* 9 *s.*?—It is worth that; I never saw such land. It is called the garden of England.

1031. Is there anything in the circumstances of that land that leads you to believe that it will depreciate in value?—It is not made the most of by a great deal.

1032. There is nothing to lead you to believe that it will be depreciated in value?—No; it is not farmed; I should think the tenant gets 1,000 *l.* a year out of that farm.

Cross-examined by Mr. *James.*

1033. Who took you down?—I took down myself; a gentleman showed me the land. I was directed to Mr. Elliot.

1034. And he acquainted you with the little fact that the mortgagees were in possession of both?—No; I did not want to know that. My object was to go and value the land; I knew it had nothing to do with me. It might be mortgaged for all its value.

1035. That fact was not communicated to you?—I do not think it was; I do not recollect it. There was something said, that there had been something done last year about some little part of the property at the Oaks. I paid no attention to it; it was merely conversation.

1036. What do you put the house at the Oaks at?—I should say the house alone, with the gardens and the hot-house, is worth from 90 *l.* to 100 *l.* a year.

1037. How much shooting is there?—Very good shooting. There are many gentlemen in London who would give a great deal to shoot over the Harty estate.

1038. No; the Oaks?—I put the shooting and the house alone at 120 *l.* a year.

1039. What do you put the shooting at?—£. 20 to 30 *l.* a year.

1040. How many acres?—I do not know.

1041. How much is there for a person to walk over?—There are 50 acres of woodland that is very nice shooting; and in the neighbourhood round there are the grounds belonging to the estate.

1042. You include in the shooting the 50 acres of woodland?—No.

Re-examined by Mr. *Tindal Atkinson.*

1043. Do you mean by the neighbourhood, round the lands of the estate?—I mean the land belonging to this estate; I understand one gentleman took up 30 snares in one hedge; it must be full of rabbits.

1044. You are speaking from experience of some years?—I have hunted and shot, and everything else, connected with land.

[The Witness withdrew.

John Haylett was called in, and having been sworn; was Examined by Mr. *Dunbar*, as follows:

John Haylett.

1045. IS that your handwriting (*handing a deed to the Witness*)?—Yes.

1046. Did you see this deed signed by Miss Toker?—No.

1047. Did you see her acknowledge it in your presence?—Not in my presence.

1048. Was Miss Toker present when you put your name to this?—Not to my recollection now.

1049. Who was present?—Mr. Glover was.

1050. Was not Miss Toker there?—Mr. Glover was; I have no recollection of Miss Toker being there.

1051. By the *Committee.*] What deed is that?

Mr. *Dunbar.*] This is the lease of the premises of the Oaks.

1052. Is he the attesting Witness?

Mr. *Dunbar.*] Yes.

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1053. By the *Committee (to the Witness).*] When did you put your name to it?—I cannot call to mind the time.

1054. Mr. *Tindal Atkinson.*] Is that Miss Toker's hand-writing?—Yes.

1055. Is that it; you see her name there?—I believe it is.

1056. Have you seen her write?—Yes.

1057. You know her hand-writing, do you not?—Yes, I believe that is it.

Cross-examined by Mr. *James.*

1058. What are you?—I am a gardener, in my occupation.

1059. Are you gardener at the house?—No.

1060. Were you there?—No, I have left there.

1061. When you attested this signature?—I was gardener then.

1062. Did you see Mr. Glover signing it?—I recollect him calling me in to witness my hand.

1063. Where was it signed?—If I recollect rightly, it was signed in the drawing-room.

1064. Whom did you see sign it; look at the two names?—I have not the least recollection of seeing anyone sign it but myself; I think Mr. Glover had signed it before he called me in.

1065. You signed it?—Yes.

1066. You see there, "Received the day and year, &c., 700 *l.*;" did you see any money pass?—No, I saw no money pass.

1067. Where was Miss Toker?—I cannot recollect; I believe she was at the Oaks at the time.

1068. Were Mr. and Mr. Toker there at the time?—I cannot remember.

1069. Was Mr. Glover stopping there?—Yes.

1070. Living there?—Stopping there.

1071. You saw no money pass of any kind?—None at all.

1072. Was this written at the time, "Received the day and year first above written, of and from the above-named E. A. Glover, a sum of 700 *l.*, being the consideration"?—I cannot say; I do not know; I had only to put my name.

1073. I should think it was then you signed underneath it?—I do not recollect; I had not time to look after the writing; I did not know what I was putting my hand to.

1074. Did Mr. Glover tell you what it was?—No.

1075. Mr. *Tindal Atkinson.*] I believe there was an execution in the house at the time?—Yes, I believe there was.

1076. Did you know that Mr. Glover paid them out?—They were paid out, and they went out; who paid them I do not know.

1077. Mr. *James.*] You say that there was an execution in the house at the time; against whom?—Whether it was against Miss Margaret Toker or not, I cannot say; I did not know that she was the proprietor of the Oaks.

1078. Mr. *Tindal Atkinson.*] You know of your own knowledge that there was an execution in the house?—Yes.

1079. You knew that it was paid out?—Yes.

1080. By the *Committee.*] How do you know that it was paid out?—I only judged from the parties going away as they did; they declared that they would not go away till the debt was paid; I did not see the money paid.

[The Witness withdrew.

Captain *John Buck Toker* was called in; and having been sworn, was Examined by Mr. *Tindal Atkinson*, as follows:

Capt. *J. B. Toker.*

1081. WILL you look at that document, and say whether that is Miss Margaret Grace Toker's handwriting (*handing a deed to the Witness*)?—Yes, that is.

1082. Is this your handwriting (*pointing to the deed*)?—Yes.

1083. By the *Committee.*] What deed is that?——

Mr. *Tindal Atkinson.*] The rent-charge.

1084. (*To the Witness*). Do you know Mr. Ommaney, the solicitor?—Yes.

1085. I believe you have reason to know him; is he a debtor of yours?—I believe he owes me something.

1086. It

1086. It has been asserted that you have been ruined by Mr. Glover; is that the fact?—Certainly not.

1087. Is there any pretence for saying before this Committee that Mr. Glover has ruined you?—It is not true at all; by no means.

1088. Will you permit me to ask if Mr. Glover, on the contrary, has not always acted to you as a friend and as a son?—He has been the most kind man I ever knew in my life, and the best and truest friend I ever had in my life, and if I could serve him I would give anything in the world to help him, he has been such a kind friend to me ever since I have known him.

1089. I believe, in your transactions with Mr. Ommaney, you have been unfortunate; you have lost money in speculations?—Yes.

1090. Has not that been the cause of your pecuniary embarrassments?—Entirely so.

1091. You found it necessary to take advantage of the forms of bankruptcy?—I was compelled to do so.

1092. It has been charged against Mr. Glover that he made you a bankrupt; in what way was he instrumental in doing it; did he make you a bankrupt?—Yes, I believe he did.

1093. At whose request?—I do not know.

1094. Was it for your own safety and own well being, that that was done?—Of course it was done.

1095. You were in prison at the time, I believe?—Yes.

1096. It was done on purpose to relieve you, was it a friendly bankruptcy?—I believe it was a friendly bankruptcy.

1097. How much money have you lost in your speculations with Mr. Ommaney?—I suppose about 10,000 *l.*

1098. Those mortgages then were on this property, what were they raised for principally.

1099. By the *Committee.*] What property?

Mr. *Tindall Atkinson.*] The Harty property.

Witness.] It was raised to carry on business at Flint and Manchester.

1100. That was the Ommaney speculation?—Yes.

1101. We have been told as to the value of that property, the land is worth 37 *s.* an acre; is that so?—I should think it is worth from 35 *s.* to 40 *s.* an acre.

1102. You speak from your experience of the land in that neighbourhood?—All about the neighbourhood is pretty nearly the same.

1103. By the *Committee.*] Is it not let at 20 *s.* an acre?—No; it is let at 25 *s.* now.

1104. Mr. *Tindall Atkinson.*] Why is that if it is worth 35 *s.* to 40 *s.*?—Because it was let by the lawyers about 30 years ago, and I did not know anything about business; they had it all among themselves.

1105. Therefore it has continued so ever since?—I told the man when he became my tenant. I said to the lawyer, "Be just to both parties, that is all I require."

1106. From your personal knowledge of the fact, it would let at from 35 *s.* to 2 *l.* an acre?—I think it would now, certainly.

1107. By the *Committee.*] Why do you not now let it at 35 *s.* or 40 *s.*?—We intend to do so in a few months; it is when the time is up.

1108. Do you mean to say that it is on lease?—No; we can give him warning at six months' time.

1109. Why have you not given him warning?—Because it would have been a great deal of trouble in law, and a variety of things that have been put off.

1110. For how long have you been in possession of this property?—My brother gave it up to me in 1827.

1111. Mr. *Tindall Atkinson.*] Who are in possession at this moment?—Mr. Ommaney and all the people who were connected with it.

1112. The mortgagees?—Yes.

1113. How long is it since you began to feel the pressure of financial difficulties?—I should say six years ago.

1114. Two or three years ago in consequence of those speculations, you were induced to raise this money?—I was obliged to raise money on mortgage when I began business.

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1115. How long is that ago?—One thousand eight hundred and forty-eight or One thousand eight hundred and forty-nine.

Cross-examined by Mr. *James*.

1116. You mortgaged in 1850 for 7,600 *l.*, did you not?—I suppose so.

1117. Do you not know it?—Yes.

1118. There was another charge, a mortgage in 1852 for 2,000 *l.*?—Yes; what of that?

1119. Another charge of 2,000 *l.*?—Yes.

1120. So that the property is charged with 11,600 *l.*?—Thereabouts.

1121. Are the mortgagees in possession of your property at this moment?—I suppose they are.

1122. Do not you know it?—Mr. Ommaney can answer you best.

1123. Do not you know that the mortgagees are in possession of the whole of your property?—They are.

1124. How long have they been?—I do not know; as fast as I was obliged to raise it.

1125. Then would not the mortgagees enter into possession, or when did they take possession of the property to pay the interest?—I have been obliged to pay interest time after time.

1126. When did the mortgagees take possession?—That I cannot tell you exactly; I was obliged to surrender my income as fast as the money was taken up; there was no return.

1127. When did they take possession of your property?—I have no papers to show.

1128. Do not you know when they took possession; the same year?—Yes.

1129. I ask you again, how long have they been in possession of your property?—As I said before, partly; as it is taken up, there was no return then; I was obliged to lose all my interest in it, and then came another.

1130. Do you receive one farthing of rent?—Not a halfpenny.

1131. Does not it all go to pay the interest of the mortgages?—I believe all within a very little indeed.

1132. How much?—I believe about 20 *l.*

1133. When did you first feel the pressure of financial difficulties?—I should think about six or eight months after I began with this gentleman; of course there was no return.

1134. Was it before 1854?—Yes.

1135. Was it before you gave Mr. Glover this rent-charge [*pointing to the deed*]; were you in difficulties at that time; was not your whole estate absorbed by your mortgagees?—I do not know anything about that charge; I see my name upon it.

1136. Were not the mortgagees in possession of the whole of your property when you gave Mr. Glover a rent-charge of 325 *l.* a year upon it?——(*No answer.*)

1137. By the *Committee.*] Did you sign it; open it (*the Witness opened the deed*).

1138. Look at your signature?—Yes.

1139. What is it?—I know nothing about it.

1140. Did you sign it?—Yes.

1141. Who asked you to sign it?—Because I knew it was all right at the time.

1142. Mr. *James.*] What was?—This thing.

1143. Who asked you to sign it?—It was an agreement between the families that I should give Mr.—at least it was my entire voluntary wish to assist Mr. Glover.

1144. Read that; you have given him 325 *l.* a-year; for how long?—It was given between me and my sister to assist Mr. Glover.

1145. What for?—I do not know how to answer you; what for? to assist him in order that he should be free to be able to have a sufficiency to become a Member of Parliament.

1146. A qualification?—Yes.

1147. At the time that you gave him that had you one fraction of your property that was not in possession of your mortgagees?—There was some.

1148. What part of your property; what acre of your property was not in the possession

possession of your mortgagees when you gave that charge; had you a single acre of your property upon which you gave that charge which was not in possession of your mortgagees in December 1854, and had been for months and months?—When Mr. Ommaney's interest was all paid there was something over.

1149. How much in 1854 will you say you received of rent over your interest; did you receive 5 *l.*? It was a great deal more received than that, I believe.

1150. Had you not parted, under your marriage settlement, to your trustees, of whom Mr. Glover was one, with every acre of your property; when were you married to Madam De Burgh?—In 1854.

1151. At what time of the year?—September.

1152. When you executed that deed had you not, by your marriage settlement, parted with every vestige to Messrs. Glover and Bruce, every acre of your property, Mr. Glover being one of the trustees for Miss De Burgh?—I have not interfered with the business at all.

1153. Cannot you say whether Mr. Glover is trustee under your marriage settlement?—Yes, he is.

1154. Had you not, in September 1854, under your marriage settlement, vested every acre of your property in two trustees, of whom Mr. Glover was one?—(*No answer.*)

1155. You say that that is charged upon your property; did not you vest every acre of your property, on your marriage in September, in your trustees?—I gave it to my wife.

1156. At that time were not the mortgagees in possession of every acre of your property; had you 5 *l.* a year out of your estate when you signed that deed in August?—Yes, there was something over.

1157. How much?—I cannot tell you how much; Mr. Ommaney always kept every thing back.

1158. Will you swear that you received 5 *l.* a year?—I did not receive myself, because my wife transacted business for me; I could not.

1159. Were not the mortgagees in possession of every acre?—I entirely left it to my wife, I could not contend with the lawyers; it so hurt me, being robbed of everything I had in the world, that I asked her to do it.

1160. Mr. Glover has made you a bankrupt, has he not?—Yes.

1161. When was that?—About a year ago.

1162. He has sworn that you are indebted to him in 110 *l.*; what is that for?—I owe Mr. Glover a great deal more than 110 *l.*

1163. What for?—For his services and what he has done.

1164. What services?—Looking after my business with the lawyers.

1165. How much do you owe him for that?—I am sure, unless I had the lawyer's bill, it is impossible to say how much.

1166. What do you owe Mr. Glover?—He went security for me; I owe him for a great number of other things.

1167. Do you know what you owe him?—I do not know the extent of the things; if I had known I should have been asked these questions I should have brought it up to London.

1168. Have you ever had any account rendered of his services for his money, or any claim made; have you ever had any account rendered from him?—No.

1169. Do you know what you owe him?—I owe him a great deal of money.

1170. What do you owe him?—He went security for me for 100 *l.*

1171. What do you owe him altogether?—I believe I owe him more than 200 *l.* or 300 *l.*

1172. How much for services?—As I said, I cannot tell what the lawyers charge; there is no end to it.

1173. You dropped an answer just now; you said, that it was agreed between you and your sister that you should assist him to get a qualification; was not that lease signed with that object?—I have not signed it.

1174. Do you know of your sister signing it, leasing this property to him for 5 *l.* a year?—That is her signature.

1175. Do you know the object of it?—No, I do not.

1176. Do you swear that you have never heard of your sister having given him that lease?—I know that she granted him that lease.

1177. What for?—To qualify him; you are right.

1178. At 5 *l.* a year?—My sister has a very great deal more than that; she has 200 *l.* or 300 *l.* a year.

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1179. Take that lease in your hand; has not your sister granted that lease to assist him in his qualification?—I suppose she has.

1180. Do not you know that?—I cannot say that I positively know it.

1181. Do you believe it?—I suppose she has.

1182. Was not it talked about you and your sister agreeing to give him a qualification?—It was our intention to do so.

1183. Do not you know that she signed it for that purpose?—I say I never saw this before.

1184. Do not you believe that she signed the lease for that purpose, to qualify him?—I suppose she did.

1185. Have you any doubt about it?—I suppose she did.

1186. Have you any doubt that she did?—No; I have no doubt about it.

Re-examined by Mr. *Tindal Atkinson.*

1187. You say that Mr. Glover was security for you; was it to Mr. Ommaney?—Yes.

1188. You say that your marriage took place in September 1854?—Yes.

1189. The deed before you I see is in August; it was signed before your marriage?—Yes.

Examined by the *Committee.*

1190. That parchment under your hand, professes to be a promise on your part, to pay Mr. Glover 320*l.* a year; is it a charge upon your property to that extent?—Yes.

1191. Did you ever pay Mr. Glover anything on that account after giving it to him?—As I said, I have left it entirely to my wife to transact my business; I could not contend with lawyers; it is not possible to contend with lawyers.

1192. Did you ever pay Mr. Glover anything in virtue of that paper which you signed?—I do not think I ever paid him anything; no, I have not paid him anything.

1193. You have stated several times, that you have been in pecuniary difficulties?—Yes.

1194. And you have also stated, that this land at Harty Island is worth 35*s.* or 40*s.* an acre, while it has been let at 25*s.*?—Yes.

1195. If you were in pecuniary difficulties, and in want of money, why did you not let it at 35*s.*?—Being in constant trouble with lawyers, we wanted to get clear of them first, and have seen our way that way.

1196. If you wanted money how does that explain it?—I have left it entirely with my wife to conduct this business.

1197. Do I understand you to say that the mortgagees, being in possession of your property, you had no control over it?—None.

1198. Though you thought it worth 40*s.*, you could not get 40*s.*, because they were in possession?—It can be let for about 35*s.* or 40*s.* now.

1199. Was not it that you had no control whatever over your property that you did not increase the rent?—The rent was not increased, because we wanted to get rid of other troubles.

1200. Was not the fact that you had no control over your property the cause that you did not increase the rent?—I had no control over my property, because it was in the hands of the mortgagees; still I suppose I could have put it into the market for a better tenant, because all the money was paid.

[The Witness withdrew.

Mr. *Slade* stated that he wished to be informed what course the Committee intended to pursue.

The Committee-room was cleared.

After a short time, the Counsel and parties were again called in, and informed by the Chairman, that the Committee thought that they had better proceed to finish both branches of the case.

Mr.

Mr. *Michael Clark* was called in; and, having been sworn; was Examined by Mr. *Slade*, as follows:

Mr. *M. Clark.*

1 August 1857.

1201. ARE you a Joiner at Beverley?—Yes.

1202. And a voter?—Yes.

1203. Do you remember the last election?—Yes.

1204. Who did you make up your mind to vote for?—I voted for Mr. Glover; he canvassed me for my vote; I told him I should not poll for him; we parted on that; and after this bill was put out, I thought he seemed as if he was ill-used, therefore I polled for him. That was my sole object in polling for him, as I told him I should not vote for him at the time when he canvassed me.

1205. Before you saw Mr. Glover, you had made up your mind to vote for Mr. Denison as well?—I had not made up my mind exactly who I should vote for, but I thought of voting for Mr. Denison.

1206. Had you determined at that time not to vote for Mr. Glover?—I told him so; I did not think of voting for him at the time.

1207. You told him so?—Yes.

1208. Take that paper into your hand (*handing a paper to the Witness*); d you see it, or a copy of it, placarded in the town and in the shop windows?—I do not know that I saw them in the shop windows, but I read this.

1209. That is what you are alluding to?—Yes.

1210. Did I understand you to say that you thought it was wrong to publish such a statement of the man?—Yes, I did think so.

1211. That altered your opinion, and you determined to vote for Mr. Glover?—Yes; I believed it to be an untrue statement, and I thought it was not manly.

1212. Did you see the counter-statement put out?—No; I see a counter-statement to this effect, that there was a gentleman came down, after a day or two, as I understood, to prove those sort of things; he was attended by a deputation of Mr. Glover's committee, and, after the deputation had waited upon him, there were some handbills put out, to the effect that he seemed to know nothing about it—Mr. Martin; I saw Mr. Silvester's name attached to the bill as a signature; I had great confidence in him as a gentleman, and therefore it seemed to coincide with my views more so than it did at the first.

1213. Is that bill with Mr. Silvester's name attached to it that in which you had great confidence?—Yes.

1214. Having read that counter-statement, were you confirmed in that opinion that you had formed, that there was no truth in what there was in it?—Yes, I thought so.

1215. Did you read the statement put out by the committee of the Liberal side, disavowing any part in that statement (*handing a paper to the Witness*); do you remember seeing one of those?—I cannot remember seeing this, not to swear to it.

1216. You do not recollect that?—No.

1217. Did any one give you notice that Mr. Glover was not qualified to be returned to Parliament?—No, I never had any such an idea.

1218. Did you form such an opinion from reading that paper?—No; but I thought he was trying to do the man an injury, and I thought it was unmanly to act in such a way, sending a man down within such a little time of the election, when he had no chance to defend himself, and I sympathised with him under those circumstances.

1219. So far as you know, was it generally believed in Beverley that Mr. Glover was not qualified to be returned to Parliament?—No; I only heard it from an individual or two, who seemed to know no more about it than myself. The morning of the election it was not generally known in the town, nor was it thought about. He had been with us previous to that, and was received by all the gentlemen of that party; and he came as the same man I expected; I knew nothing to the contrary.

1220. Who were those one or two individuals?—I cannot say.

1221. Were they your party or the other?—Perhaps both; I cannot say; I paid little attention to it, not thinking anything about this.

1222. Was the election quiet?—It was pretty fair; I never see'd anything.

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Cross-examined by Mr. *James.*

1223. When was it Mr. Glover canvassed you, and you refused to vote?—I am sure I cannot say the day.

1224. Had you voted for him before?—Yes.

1225. In 1852?—Yes.

1226. Had you heard of the Canterbury election?—I heard of it.

1227. That he went to Canterbury in 1854?—Yes.

1228. Had you heard that one of the gentlemen had been sued in the County Court for expenses which he had left unpaid?—No.

1229. You refused to vote for him this time?—Yes.

1230. Why?—Because I thought proper to do so.

1231. Any particular reason?—I thought of polling for Mr. Denison, being a neighbouring gentleman.

1232. You can poll for two?—Yes.

1233. Who did you mean to give the other to?—I intended to poll for Mr. Denison only.

1234. A plumper?—Yes.

1235. And this bill altered you?—Yes; and what was stated otherwise, after that bill had come out; that bill was not the only thing of itself.

1236. When did you first see this bill?—I think a day or two previous to Mr. Martin coming down to Beverley.

1237. Did you read it?—Yes.

1238. Did you read this part, "Did you not pass through the Insolvent Debtors' Court, Mr. Glover?"?—Yes, I read the whole of it.

1239. "Have you, in fact, a 5 *l.* qualification in the world"?—Yes.

1240. Did you know that applied to the Parliamentary qualification?—Yes; I did not believe that the bill was a true one; there was no name attached to it; no printer's name, nor any other name; I should not have voted if I had seen any name to it.

1241. You would not have voted for him if you had seen any name to it?—If I had had any belief that there was anything correct in it.

1242. Would you have voted for him if you had believed that he had no qualification?—No.

1243. Do you know that taking the benefit of the Insolvent Debtors' Act destroys the qualification?—Not exactly; I should consider it would have a tendency to be injurious to his taking his position as a member, but to what extent I do not know.

1244. Did you hear that Mr. Toker had come down?—Yes, I did hear of it.

1245. Did you hear that Mr. Toker had avowed himself the author?—No, I think not.

1246. Who told you that Mr. Toker had come down?—I do not know; I did not see the name; I was at home that evening.

1247. Did you hear that he had avowed himself to be the author of this?—No, I think not.

1248. Will you swear that you did not?—It was talked of that he was, but I never heard of it.

1249. What did you hear talked of?—That he was the author of the bill.

1250. That he had come down and said that he would prove the charges?—I heard that he had come down with a design to do something of this sort, but was not heard.

1251. Did you not hear that he saw Mr. Silvester, and said he would prove the charges?—I heard that he had been at Mr. Silvester's office.

1252. And avowed himself the author?—No; I heard this, that he had come down to see Mr. Silvester and the committee, or what not, respecting that; I never heard no particulars.

1253. Where was it that you heard that he had avowed himself the author?—It was in the town of Beverley; I am sure I cannot say exactly where.

1254. Was not the question of his having no qualification talked about in the town?—No, I cannot say that I ever heard of it till the election day, after they had come from the mayor's house; then I heard it from one individual or two; that was all that I heard of it.

1255. In what company was it that you heard that Mr. Toker had come down and

and avowed himself the author of that placard?—I am sure I could not say where.

1256. Were you at any meeting among the townsmen that night?—No, not to my knowledge; I should hear it in the street, probably.

1257. On the morning of that day you heard from one or two individuals something about his qualification?—I heard it at the time you are referring to; I cannot say; I believe it would be after he had been down at the mayor's house.

1258. Did you hear that his qualification had been demanded?—I heard that his qualification had been demanded, and that he had given the qualification.

1259. Were you present when Mr. Glover produced the demand of the qualification on the hustings?—No, I was not near the hustings.

1260. Where was it that you heard his qualification had been demanded?—It would be some way not far from the hustings; I could not say, to speak confidently.

1261. What individuals told you that?—I cannot say.

1262. How many voters did you hear it from?—Perhaps one or two.

1263. Do you mean to tell this Committee that it was not the subject of conversation after his qualification was demanded?—It was not, to my knowledge.

1264. You never heard it talked of?—No more than what I have told you.

1265. What was that?—That I heard it from an individual, or two.

1266. Who were they?—I cannot tell you.

1267. Where did you first see this handbill; in the window of a shop?—I am sure I do not know how I obtained it, not having any thought of this sort occurring; I might have seen it anywhere, and that I might have come to it. No, I believe I seed it during our dinner time, when I was going home to dinner.

1268. On a wall?—I do not know whether it was plastered up or how I saw it.

1269. You say that it was reading this that induced you to make up your mind to vote for Mr. Glover?—Yes.

1270. Whether he had any qualification or not?—No; I would not like to say that.

1271. Did you make any inquiries as to whether he had any qualification or not?—I never heard that any objected to it, but the individual or two that I refer to.

1272. You heard that it was demanded?—Yes.

1273. You swear that that altered your mind as to voting from seeing this? Where did you first read it?—I am sure I cannot say.

1274. On a wall?—I cannot speak confidently.

1275. Were other people reading it with you?—I am sure I cannot tell.

1276. Upon your oath did you not see several people reading it?—I had seen people read this after I had seen one.

1277. Did you see people reading them?—Yes; I have seen people reading them.

1278. Where?—In the streets.

1279. On the walls or in the shop-windows?—I seed a person have one that he was reading in the street, but I had seen one previous to that.

1280. Where?—I do not know where I first saw it; there was a good many of them in circulation.

1281. Did you go anywhere the night before the election; any public-house or among any people?—Yes, I was the night before the election at the Mechanics' Institute.

1282. How many were there?—I am sure I do not know; a great many; I believe it was the night before the nomination; I think so.

1283. Had you seen the bill then?—Yes.

1284. Was it talked about?—Yes.

1285. About the qualification?—I had not heard much about it.

1286. Upon your oath, at that meeting at the Mechanics' Institute that night, was not Mr. Glover's qualification talked about?—I cannot say I heard any more about it than what I have told you.

1287. I ask you whether at the meeting at the Mechanics' Institute, the night before the polling, Mr. Glover's qualification was not talked about?—I might

Mr. *M. Clark.*

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hear of it, as I tell you, but to no extent, nor nothing was ever thought there was any such thing in contemplation.

1288. Was the subject of Mr. Glover's qualification talked about at that meeting at the Mechanics' Institute?—Not at the meeting of the Mechanics' Institute; I do not know that I heard it there.

1289. Where was it?—As I might be in company going home, or in the street with any individual, I might hear so; we might just enter into conversation, and with no person more till I had retired home.

Re-examined by Mr. *Slade.*

1290. Had you any idea when you voted for Mr. Glover that you were throwing away you vote?—No, not the least.

[The Witness withdrew.

Mr. *John Almack* was called in; and, having been sworn, was Examined by Mr. *Tindal Atkinson*, as follows:

Mr. *John Almack.*

1291. YOU reside at Beverley?—Yes.

1292. You are a gentleman of independent circumstances?—Yes.

1293. I believe you have resided for some time in Beverley?—In Beverley and the neighbourhood; about seven years in Beverley.

1294. I believe you are conversant with the society in Beverley, and what is passing generally?—Yes.

1295. Particularly anything connected with public matters?—I do not interfere in public matters at all. I avoid them as much as possible.

1296. I believe you voted for Mr. Denison and Mr. Glover at the last election?—Yes.

1297. There was an anonymous libel; were you aware of that libel at Beverley?—I saw it once, on the day previous to the nomination.

1298. What was your feeling on reading it?—I thought it a most discreditable publication.

1299. Was that as much from its having no printer's name, as having no name attached to it?—Yes, from the various vile accusations made against him.

1300. Did you treat that anonymous publication as a notice of Mr. Glover's disqualification?—Certainly not.

1301. I believe previously to the reading of that libel you had intended not to vote?—It was my intention not to vote at all. I frequently declared that I did not intend to vote.

1302. Upon reading that you determined to vote for Mr. Glover?—Principally from that.

1303. At the time that you voted for Mr. Glover had you any idea whatever that he was not qualified?—I had not.

1304. Did you ever hear his disqualification seriously discussed prior to that election?—I never heard his qualification seriously discussed previous to the publication of this paper.

1305. Do you know of your own knowledge that he had spent a considerable sum of money there in 1852?—Yes, it was generally reported, and I saw it in the public correspondence in the papers that it was the fact.

1306. What was the general character of the election with regard to order?—At what period of the election?

1307. On the nomination day, for instance, or the general election?—During the time that the election was going on it was quiet, and everything was peaceable; when I went down about 11, everything was peaceable and quiet.

1308. If a man had put a notice up of his disqualification at the doors of the polling booths, would he have been in danger of his life?—I am not at all aware of that.

1309. Was there any circumstance that would have induced you to come to any such conclusion?—I was not at all aware of it; there was great sympathy for Mr. Glover, in consequence of the vile treatment which we believed he had received by the publication of that paper.

1310. The

1310. The sympathy that you have yourself expressed?—Yes.

1311. Were you aware that the Liberal party disavowed any connexion with that thing?—I cannot say that.

1312. You did not see that placard up (*handing a paper to the Witness*)?—I am not at all aware of having seen this.

Cross-examined by Mr. *James*.

1313. Were you much with Mr. Glover?—No.

1314. Did you see him after you read this bill?—Frequently, in the town.

1315. Did you speak to him?—I had no conversation, except some days before this paper was issued, when he called on me to canvass me; that was the only time.

1316. Did you ask anybody whether it was true that he had taken the benefit of the Incolvent Debtors' Court in 1849?—No, not previous to the election. I may state this, that his proposer, the gentleman who went with him to prove his qualification before the magistrate, told me that it was perfectly satisfactory to him; the qualification was ample; and in that gentleman's assertion I had the most unbounded confidence.

1317. Was the question asked whether he had taken the benefit of the Insolvent Debtors' Act in 1849?—It was referred to after that paper was published, signed by five gentlemen in Beverley, and in that paper, to the best of my recollection, it stated that those gentlemen had an interview with a person of the name of Martin, who came down to prove some facts about Mr. Glover.

1318. Mr. *Slade*.] Is that it (*handing a paper to the Witness*)?—Yes, this is the paper; I am not aware that I have read it since the election. I believe this paper states that Mr. Martin acknowledged that Mr. Glover had been insolvent in 1849; I was quite aware that he came to the election in 1852, and his qualification was never disputed then.

1319. Had any person in your presence asked whether Mr. Glover had taken the benefit of the Insolvent Debtors' Act in 1849?—I know no more of it than I saw in that paper.

1320. Was the question asked whether it was true that he had taken the benefit of the Insolvent Debtors' Act in 1849?—I cannot remember; I am not at all aware of it previous to the election; the thing has been very much canvassed since.

1321. When did you first see this bill?—On the Thursday morning; a few days before the election.

1322. Do you know whether any person asked or inquired of Mr. Glover, or any person connected with him whether it was true that he had taken the benefit of the Insolvent Debtors' Act in 1849?—I did not know that.

1323. Did you ask anybody?—I did not interfere with those things.

1324. Do you know that a man who takes the benefit of the Insolvent Debtors Act may lose his qualification?—I am quite aware that it may be possible.

1325. Was the question asked or answered in your presence?—I am not aware.

1326. Previous to the polling?—No.

1327. Were you there when his qualification was demanded?—No.

1328. On the hustings?—Yes; I was once there; I kept away from it; I was at a distance, in the front of it.

1329. Were you on the hustings when his qualification was demanded?—Certainly not.

1330. Did you know that his qualification had been demanded?—After the nomination was over I was told that it was so.

1331. Were you told that he had taken the benefit of the Insolvent Debtors' Act in 1849?—I was not aware of it; I knew no more than I saw in that paper; it was stated there; I saw it at the time.

1332. Did you know that Mr. Toker had come down?—I heard of it.

Re-examined by Mr. *Slade*.

1333. You were asked whether, as a man of sense, you were not aware that a gentleman who has taken the benefit of the Insolvent Debtors' Act may lose his qualification, and you said yes?—I am not prepared to give an opinion on that point; I will state my belief.

Mr. *John Almack.*

1 August 1857.

1334. You know that a man who had taken the benefit of the Insolvent Debtors' Act in 1849 might lose his qualification; do you know that?—A man may be insolvent in 1849, but perfectly solvent in 1850.

1335. You knew when you read that question, whether he was not insolvent in 1849, that he had stood for Beverley, and spent a large sum of money in 1852?—To be sure I did.

1336. Did that raise a suspicion in your mind that he was insolvent then?—Not at all; it was a matter that I did not inquire into.

1337. You heard that his qualification was asked for?—I did.

1338. Was it not demanded in the case of Mr. Wells?—Yes, I heard it was so, and I never heard that it was proved.

1339. You heard that when Mr. Glover's qualification was demanded, he produced very satisfactory evidence of it?—I was told so by a gentleman who went with him to prove his qualification.

1340. Was that before the election?—I believe it was the day before the election.

1341. Having heard that, and having read that hand-bill, you went up and polled for Mr. Glover with perfect confidence that you were entitled to poll for him?—Certainly.

1342. Did you ever have it intimated to you that you were throwing away your vote in polling for Mr. Glover?—No.

1343. Did you ever hear that anybody in the whole town of Beverley was told so?—Never.

[The Witness withdrew.

Mr. *Charles James Fox*, was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *Charles J. Fox.*

1344. ARE you a silversmith, residing in Beverley?—Yes.

1345. Whom did you vote for at the last election?—I voted for Mr. Denison and Mr. Glover.

1346. Were you informed, or were you aware that Mr. Glover had been called upon to produce his qualification?—At the nomination day I was.

1347. Were you present at that time?—No.

1348. I suppose it was mentioned casually?—Yes.

1349. After that did you have an interview with Mr. Glover?—I had.

1350. With reference to this demand upon him?—Yes.

1351. I suppose you were anxious to ascertain whether he had a qualification or not?—Yes.

1352. Did you have a conversation with Mr. Glover as to his qualification, and the demand upon him?—Yes; it was quite satisfactory to me; he proved it to my satisfaction, as far as I understand it, that he was perfectly qualified.

1353. Acting upon that, did you go to the poll and vote for Mr. Glover?—Mr. Glover and Mr. Denison.

1354. Giving your vote for Mr. Glover under the firm belief that he had a sufficient qualification?—Decidedly so.

1355. Had you any notice from anybody that you were throwing away your vote by voting for Mr. Glover?—Never.

1556. Was there any paper or document of any sort to be seen on the walls or in the windows in the town of Beverley, indicating that the parties who voted for Mr Glover would throw away their votes?—I believe there was not; I never saw one.

1357. Had you seen this anonymous hand-bill?—No, I had heard of it; but I never saw one.

1358. You properly termed it a blackguard bill?—Yes.

1359. You had heard of this blackguard bill?—Yes.

1360. Having heard of that blackguard bill, how did it operate on your mind?—I had intended not to vote at all; but after this came out, and several things transpired which seemed to very unfair on the part of some persons towards Mr. Glover, me and three or four more determined we would vote for Mr. Glover, and as we had two votes, we thought that Mr. Denison was the best man of the other two, and we voted for Mr. Denison and Mr. Glover.

1361. The

1361. The issuing of that blackguard paper induced you to give your vote for Mr. Glover?—Decidedly so.

Cross-examined by Mr. *James.*

1362. Were you one of Mr. Glover's committee in 1852?—I do not think he had a committee.

1363. You swear that?—Yes.

1364. Were you a supporter of his in 1852?—Yes.

1365. You say that you had some conversation with him after the qualification had been demanded?—Yes.

1366. Did you ask him whether he had taken the benefit of the Insolvent Act in 1849?—No; I was not aware of that.

1367. Did he tell you that he had?—No.

1368. He never told you that?—No.

1369. Did you ask about his Irish property?—Yes; I asked him, and he said it was rather a complicated piece of business if I could understand it; but it was not worth his while; but he assured me he was all right, that his qualification was a substantial one.

1370. Did he assure you that he had a rent-charge of 325 *l.* a-year upon lands in Harty, in Kent?—I will not swear what the exact words were; he did not show me his qualification, and I never saw it.

1371. What did he say?—I have told you what he said; he said he was certain his qualification was a respectable and substantial one, and that he had every confidence in it that it would get him his seat; he mentioned some property or other, but it concerned me so little, that I forget what it was; he mentioned his Irish estates, and that he also had some in Kent.

1372. And he assured you that his qualification was both respectable and substantial?—Yes.

1373. On the faith of that, did you vote for him?—Yes.

1374. Were you satisfied?—Yes.

1375. How many persons were present; was it at the White Horse?—No, at the Beverley Arms.

1376. How many persons were present?—There was only himself and me at the first beginning; before he had concluded another person came in.

1377. How many were there altogether?—Only those I have named.

1378. You relied upon his qualification being respectable and substantial?—I did not; it would not have weighed any heavier with me if there had been 1,000 people there.

1379. It was after the qualification was demanded?—Yes.

1380. Did you go to him to ask him?—Partly.

1381. Had you heard it talked about a good deal after it was demanded?—Yes.

1382. How did you hear it was demanded?—I cannot exactly say; I heard of it.

1383. Had you not heard it talked about?—Not much.

1384. Where were you told about it?—I cannot tell you where I was told; I heard of it somewhere, but I cannot tax my memory.

1385. You took an opportunity of asking him?—I went and asked him.

1386. Was anything said about his taking the benefit of the Insolvent Act in Ireland?—Yes.

1387. Had you seen this handbill (*the same being shown to the Witness*)?—Yes, but I did not believe it; it has no name to it.

1388. By the *Committee.*] You understand, I suppose, what is meant by passing through the Insolvent Court, as a man of business?—Yes; it appears that he has passed through the Insolvent Court, but it is many years since; it is scheduling, I understand.

1389. When did you hear that he had been through the Insolvent Court?—It was some time during the election.

1390. Before you polled?—I will not swear to that; it was some time during the election.

1391. What made you believe it then, that he had gone through the Insolvent Court?—Because he mentioned it to some persons at the White Horse that he had done so.

 1392. And

Mr. *Charles J. Fox.*

1 August 1857.

1392. And they told you?—Yes.

1393. When you knew that, what idea did it convey to you in reference to his qualification?—I had the idea that there are many persons in business that fail and still they become substantial men, and as it was some years previous to the election, I was not aware but what Mr. Glover was a substantial man.

[The Witness withdrew.

Robert Child Taylor was called in; and, having been sworn, was Examined by Mr. *Dunbar*, as follows.

Robert C. Taylor.

1394. DO you reside at Beverley?—Yes.

1395. You are a voter?—Yes.

1396. What are you?—A currier.

1397. How did you intend to vote at the last election?—For Mr. Wells and Mr. Denison.

1398. How did you vote?—For Mr. Glover and Mr. Denison.

1399. What induced you to change your mind?—The scandalous bill that was put out.

1400. Where did you see it?—I had one sent to me by the post.

1401. What did you consider it to be?—A scandalous thing, to do the man an injury.

1402. When you voted for Mr. Glover did you think he was duly qualified?—Yes.

1403. Did you get any notice that he was not duly qualified?—No, not any legal notice; nothing but this handbill. I did not consider that any notice; there was no printer's name or anything to it.

1404. You got no notice as to the qualification?—Nothing more than that bill.

1405. Have you resided at Beverley for some years, and have you seen several elections?—Yes.

1406. What kind of election was it, the last?—A very quiet one.

1407. Would there have been any difficulty in pasting up a notice?—No; a child might have done it.

1408. Would it have been as easy to paste up a notice as to distribute a bill?—Just so.

1409. Do you not think that those parties who distributed those hand-bills might very easily have pasted up a notice?—Yes.

1410. You got this hand-bill through the post?—Yes; I did not know where it came from.

1411. I suppose you thought, if there was any disqualification, the parties would have sent you a proper notice?—Yes, and signed their name to it.

Cross-examined by Mr. *James*.

1412. You say that you thought he was duly qualified?—Yes.

1413. What made you think that he was duly qualified?—By the statement that he gave us at the Beverley Arms.

1414. Had you heard that his qualification had been questioned?—Before the election?

1415. Yes?—No.

1416. Upon your oath, had you not heard that his qualification had been disputed before he made the statement at the Beverley Arms?—No.

1417. You did not?—No.

1418. What led to his making the statement at the Beverley Arms?—He was asked about his qualification.

1419. What time did the meeting take place?—I do not know; I cannot tell you.

1420. What evening was it that he made the statement at the Beverley Arms about his qualification?—I cannot say, I am sure, what night it was.

1421. Was it the night of the nomination, or the night before the nomination?—It was before that.

1422. Had the question of his qualification been discussed in the borough before that?—It was merely a simple question asked by a few of the party.

1423. Was

1423. Was it before or after you received that paper?—Before.

1424. Who were there?—I cannot say, I am sure.

1425. How many?—There were several there.

1426. Electors?—Yes.

1427. How many do you say were there?—I cannot say to half a dozen.

1428. Were there 20 there?—Yes.

1429. Will you swear that there were not as many as 30 or 40 at the meeting at Beverley Arms when the question of the qualification was discussed?—I cannot say how many there were there.

1430. You were there?—Yes.

1431. Was it a regular meeting?—Yes.

1432. Who was in the chair?—Mr. Rygate.

1433. Is he the chairman of Mr. Glover's committee?—Yes.

1434. He was in the chair?—Yes.

1435. Who first asked a question about the qualification?—I cannot say.

1436. Was Mr. Glover there?—I do not think he was; I do not know exactly; I was only behind the door; I went in for a short time.

1437. You have sworn that you heard the question of the qualification discussed at that meeting at the Beverley Arms before the hand-bill was issued at all; was it before you had seen the bill?—Yes.

1438. How long before?—I got that hand-bill on the Wednesday or Thursday; I cannot tell exactly.

1439. The nomination was on the Friday; when was this meeting at the Beverley Arms?—I cannot say, I am sure.

1440. Two or three days before the Friday; was it in that week?—Yes.

1441. On the Monday?—I cannot say what day it was.

1442. Did you not see Mr. Glover there at the meeting at the Beverley Arms, when Mr. Rygate was in the chair?—That was at the White Horse.

1443. When was the meeting at the White Horse?—I cannot say what night it was.

1444. Was it before the nomination?—Yes.

1445. Was that the meeting at which Mr. Ry te was in the chair?—Yes.

1446. Was Mr. Glover there?—I cannot say.

1447. Was the question about his qualification discussed at the White Horse?—Yes.

1448. How many electors were there, should you say?—A great many.

1449. Fifty or sixty?—Yes.

1450. Mr. Glover was there, I think?—Yes.

1451. What was said about his qualification at the meeting at the White Horse in the presence of 50 or 60 electors?—I cannot tell you what he said.

1452. You said it was that, that satisfied your mind that he was duly qualified?—Yes, but I have not such a memory as to repeat what took place.

1453. Upon your oath, state to the Committee what satisfied your mind?—I cannot tell you what satisfied me now.

1454. Did Mr. Glover make any statement?—Yes.

1455. What did he say?—I cannot tell you I am sure now.

1456. Which occurred first, the meeting at the Beverley Arms or at the White Horse?—I am sure I cannot tell you.

1457. Were they the same night?—No.

1458. Were they the same week?—Yes.

1459. You were at both meetings?—Yes.

1460. Cannot you tell what was the first in date and order?—I cannot.

1461. Was Mr. Glover at the Beverley Arms, or not?—I cannot say; he was at the White Horse

1462. Was Mr. Glover, at the White Horse, asked questions about his qualification?—Yes, he was.

1463. By whom?—I cannot tell you that.

1464. By the chairman?—I do not know whether by the chairman or any party.

1465. By several of the electors?—I do not know.

1466. Do you mean to say, upon your oath, that you do not know whether more than one elector put the question to him?—Several electors put questions to him.

Robert C. Taylor.

1 August 1857.

1467. About his qualification?—Yes.

1468. Was he asked whether he had taken the benefit of the Insolvent Act in Ireland?—I cannot remember whether he was asked that or not.

1469. Was he asked about his property?—I cannot remember.

1470. What satisfied your mind that he was duly qualified?—The statement that he gave.

1471. What was that?—I am sure I cannot tell you now; I forget it.

1472. How long did that meeting last, at the White Horse?—About an hour, perhaps.

1473. How long did the discussion as to the qualification last?—Mr. Glover gave a statement of his qualification.

1474. What was it?—I cannot tell.

1475. Did you hear about any land in Ireland?—No.

1476. Can you tell the Committee—you have sworn that what you heard at that meeting induced you to believe that he was duly qualified—a single ground that induced you to believe that that gentleman was duly qualified?—In time I could; I am sure I cannot now.

Re-examined by Mr. *Slade.*

1477. I should be astonished if you could. This was a very large meeting at the White Horse?—Yes.

1478. Mr. Glover was there?—Yes.

1479. He was questioned as to reports about his qualification?—Yes.

1480. And he made a statement?—Yes.

1481. Was that statement satisfactory to you?—Yes

1482. Did it appear to be satisfactory to the meeting?—It did.

1483. Were any Resolutions passed at that meeting that Mr. Glover's representation as to his qualification was satisfactory?—Yes, I think it was.

1484. By the *Committee.*] As a tradesman, I presume you thoroughly understand what is meant by passing through the Insolvent Court?—Yes.

1485. You did not desire to ascertain whether the report was true that he had passed through the Insolvent Court?—No.

[The Witness withdrew.

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 3° die Augusti, 1857.

THE Names of the Members called over; all present.

JOHN ABEL SMITH, Esq., IN THE CHAIR.

Mr. *William Padgett* was called in; and, having been sworn, was Examined by Mr. *Tindal Atkinson*, as follows:

Mr. *W. Padgett.*

3 August 1857.

1486. I BELIEVE you are a person carrying on business in Beverley?—Yes.

1487. What are you?—A painter.

1488. I believe you have generally supported the Conservative party?—Yes, for 30 years.

1489. You are a voter?—Yes.

1490. With regard to the last election, was it your intention to have taken any part in the proceedings in the election?—No; it was my intention not to interfere at all.

1491. Did that arise from there being no particular distinction between the politics and the parties?—Yes.

1492. What induced you to alter your intention?—Through the scurrilous handbill that was circulated, and the ill-treatment that Mr. Glover received generally, induced me to vote.

1493. I believe on the morning that you saw that bill for the first time you saw Mr. Boys, a witness?—Yes, and several of the committee.

1494. I believe you said something to them about the bill, and of its being infamous conduct towards Mr. Glover?—I told them this, that it was reported that Mr. Glover had run away, and at that point it was said that he had come back again. Let there be no mistake; all the different candidates had solicited me, but I would not promise any one, but through this bill I made up my mind to do the best I could for Mr. Glover.

1495. You did vote for him?—Yes.

1496. Did you seriously believe that that bill gave you a notice of disqualification?—I took no notice of it, as there was no printer's name to it, nor any signature.

1497. It had no influence upon your mind as to his want of qualification?—Not a bit.

1498. Did you ever hear about his want of qualification until about this period?—I heard nothing, till I heard that Mr. Nutchey, or some one, had called upon him to show his qualification.

1499. Was the election a quiet one?—I never saw a breach of the peace.

1500. The post-office was in full work, and the letters delivered, as usual?—Yes, just the same.

Cross-examined by Mr. *Allan.*

1501. You say you voted for him through the treatment he had received?—Yes.

1502. Were you mixing with the people at Beverley?—Yes, as I generally do.

1503. Were you constantly amongst them?—Yes.

1504. You say that you saw this bill?—Yes.

1505. It was a notice of non-qualification?—Yes, and it contained scurrilous abuse.

1506. Did you inquire about it?—I never had one in my possession; I merely saw one.

1507. You did not inquire about it?—I did not notice it.

1508. Were you at the White Horse meeting?—No, not previously to the nomination.

Mr. *W. Padgett.*

3 August 1857.

1509. Did you not in the course of your intercourse with the people at Beverley hear it constantly mentioned that Mr. Glover was not qualified?—Nothing particular but once.

1510. Had you not heard it?—Not before the time that I named.

1511. It was before the election?—Yes.

1512. By the *Committee.*] When did you first hear of it?—I never heard anything about it before they said he was called upon by Mr. Nutchey.

1513. You had heard it talked about at that time?—Yes, at that time; at the nomination that Mr. Nutchey had called upon him to show his qualification; merely hearsay.

1514. That was on the nomination day?—Either upon the nomination day or the election day, I cannot say which; it was one of the two days.

1515. Where did Mr. Nutchey call upon him to show his qualification?—On he hustings; I was told so, I did not see it.

1516. At the nomination?—On the nomination day or the election, I cannot say positively which, but one of the two days; that was the first of my hearing anything about its being disputed that he was qualified.

[The Witness withdrew.

Mr. *Samuel Findlater,* was called in; and, having been sworn, was Examined by Mr. *Dunbar,* as follows:

Mr. *S. Findlater.*

1517. I BELIEVE you are an Elector of Beverley?—Yes.

1518. What are you?—A plumber and glazier.

1519. Had you intended to vote at the last election?—No.

1520. What induced you to alter your mind?—A handbill that I had received by post.

1521. Did you read it?—Yes, I read a part, and I looked at the signature and the printer's name, and I then determined to give my support to Mr. Glover.

1522. I suppose you considered it a very gross and scurrilous thing?—Yes, I did.

1523. What did you consider it to be?—I considered it was to damage the character of Mr. Glover.

1524. Did you consider it any notice as to his qualification?—No.

1525. When you voted for him, had you received any notice of his want of qualification?—No.

1526. By the *Committee.*] Had you heard of the insolvency?—Yes; I heard it at the meeting at the White Horse.

1527. Mr. *Dunbar.*] When was that?—It was the same day as the bill came out.

1528. Was that the Thursday?—Yes.

1529. You heard that Mr. Glover had been insolvent?—Yes.

1530. You say you heard that that was eight years before?—Yes.

1531. I suppose you thought it very likely that a man might be insolvent eight years ago, and be very solvent at the election?—Many men that are insolvent become very staunch men in eight years.

1532. I think that you have already said that when you voted for Mr. Glover, you had no knowledge of his non-qualification?—No.

1533. You believed him to be qualified?—Yes.

1534. Had you ever heard the subject discussed?—No.

Cross-examined by Mr. *Allan.*

1535. Had you heard of the insolvency?—Yes.

1536. Before you voted did you inquire as to whether Mr. Glover had been insolvent, and did you hear it from him himself?—Yes.

1537. Before you voted did you inquire whether he had paid anything under that insolvency?—No.

1538. You say that you saw those hand bills in the window?—No; I had one sent.

1539. Did you inquire as to the nature of this handbill, or as to whether there was any truth in it?—No; I heard an explanation given at the White Horse, that quite satisfied me.

1540. Was that explanation made by Mr. Glover?—Yes.

1541. Do

Mr. *S. Findlater.*

3 August 1857.

1541. Do not you know now that it was the common rumour and talk about that Mr. Glover was not qualified to stand as a candidate for Parliament?—No.

1542. Did you hear of it before the election took place; before you voted?—I heard nothing but from the scurrilous handbill that was put out.

1543. Did you not hear that at the meeting of the White Horse?—I heard that he stated at the White Horse that he had a qualification.

1544. You heard him state that he had taken the benefit of the Insolvent Act before?—I cannot say.

1545. You mixed with the people in Beverley, and ascertained what their views were?—Yes, of course I did.

1546. Had you not heard that it was the general talk of the town that Mr. Glover was not qualified?—No.

1547. By the *Committee.*] How many electors were at that meeting at the White Horse?—I am sure I cannot say; perhaps 120.

Re-examined by Mr. *Tindal Atkinson.*

1548. That number of people?—Yes.

1549. By the *Committee.*] How many electors do you think were there?—I cannot say.

1550. Mr. *Tindal Atkinson.*] I suppose it was a mixed meeting, where those who were voters and those who were not met together?—Some were voters and some were not.

1551. By the *Committee.*] Who was in the chair?—Mr. Wrighitt. I do not know that he was at that meeting particularly; he was the chairman of the committee. There was no particular chairman.

1552. Was this meeting at the White Horse convened for the purpose of hearing Mr. Glover?—Yes; hearing his explanation.

1553. He was there, was he not?—Yes.

1554. As to what?—As to his qualification, and as to the charges in the bill.

1555. Did you hear Mr. Glover say, as to the insolvency in Ireland, "It is true, I was insolvent"?—He did.

1556. Did you hear him say anything about his having a qualification in England?—Yes.

1557. Mr. Glover was the popular candidate, was he not?—Yes.

[The Witness withdrew.

Mr. *Henry Silvester* was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *H. Silvester.*

1558. YOU are a Solicitor, practising at Beverley?—Yes, I am.

1559. Have you been twice mayor of the town?—Yes, I have.

1560. You are a magistrate of the borough, I believe?—As ex-mayor.

1561. Are you a supporter of Mr. Glover, and were you in 1852?—Yes.

1562. I believe you took no part in the election this year till just before it came off?—No.

1563. Just before the nomination?—Yes.

1564. I believe you probably considered that all the candidates were pretty similar in politics?—Very much so.

1565. Whom were your sympathies with?—Rather with Mr. Wells; I considered that he had been ill-used.

1566. There has been a handbill produced, an anonymous one; was it forwarded to you?—Yes, it was.

1567. How did you receive it?—It came to me in an envelope, unsigned. I thought it was a very disgraceful production, more particularly coming only the day before the nomination, when there were no means of testing its truth or its untruth. It came to me by post.

1568. Was it a blank envelope?—There was nothing in it.

1569. Nothing to lead you to judge from whom it came?—Nothing whatever.

1570. Did it appear to have been posted in Beverley?—I think not; I think it came from London; I cannot tax my memory as to that.

1571. Your impression was that it came from London; that it was not a Beverley post letter?—Yes.

Mr. *H. Silvester.*

3 August 1857.

1572. Were there many of those bills about publicly in the streets?—Certainly not; there were none about publicly in the streets; none whatever; at least I saw none.

1573. Did you see any in the windows or on the walls?—No; so much so, that I inquired of several people if they had got them or seen them; and I found there were very few who had them.

1574. Was it the day before the nomination that you received them?—Yes.

1575. Did anybody call upon you that day as representing Mr. Richard Martin?—Mr. Thorney, a solicitor of Hull, waited upon me, and he announced himself to me as the solicitor of Mr. Richard Martin, barrister of the Northern Circuit, and he gave me a note, or a copy of a note, which he said he had addressed to the chairman of Mr. Glover's committee, that Mr. Marten had addressed to the chairman of Mr. Glover's committee, and he was pleased to say that, as an influential inhabitant of the town, he wished me to see that that letter was shown to Mr. Glover's friends.

1576. Just read that letter (*handing the same to the Witness*)?—"I have come from London for the purpose of meeting Mr. E. Glover, either on the hustings or before his own friends and committee, and of proving, beyond the possibility of doubt, that he is not a proper person to represent the electors of Beverley in the House of Commons. I shall say nothing behind his back that I am not prepared to substantiate to his face; all I ask is that he shall meet me, and that an impartial hearing shall be granted on both sides." That is a copy of the note that was given to me.

1577. Mr. *James.*] Whose writing is that?—I cannot tell you at all; it is Mr. Martin's letter.

1578. Mr. *Slade.*] Did you understand that there was to be a meeting of Mr. Glover's friends at the White Horse that day?—I had heard there was to be a meeting on that day at the White Horse, at three o'clock, and I promised Mr. Thorney I would go to that meeting, and read that note publicly.

1579. Did you?—I did read it publicly.

1580. Was Mr. Glover present?—When I first got to the meeting Mr. Glover was not there.

1581. By the *Committee.*] You are talking of Thursday?—Yes. Some of his friends stated that he had been before his committee, and explained, or rather denied, all that had appeared in that bill. I said that I should not be satisfied without seeing Mr. Glover, and he then appeared, and he said that there was not one word of truth in the bill.

1582. The bill of questions?—Yes, except the statement that he referred to. I think he referred to two statements as being correct; that he was called to the Irish Bar as Edward Glover, and he had passed through the Insolvent Debtors' Court in 1849; he gave a distinct denial to all the other statements in the bill.

1583. Did he say anything as to his qualification?—He said that he had put his writing desk into the hands of Mr. Wrighitt, the chairman of his committee; and that Mr. Wrighitt, who was there present, was quite satisfied that he was what he represented himself to be, a gentleman of some property and responsibility and character; and that his writing desk, containing the whole of his papers, had been put into his hands.

1584. And he expressed himself satisfied?—He vouched for the statement of Mr. Glover. I should likewise add, with respect to his insolvency, that Mr. Glover stated that he had paid off all his debts in Ireland, with the exception of one, and that that was a debt of, I think, 1,000*l.*

1585. By the *Committee.*] Do you mean his schedule debts?—Yes, the debts in his schedule as an insolvent; it was kept alive in the hands of a friend for the purpose of enabling him to dispose of his estates in the Incumbered Estates Court.

1586. Purposely kept alive to give him a *locus standi* before the Commissioners of the Incumbered Estates Court?—Yes.

1587. At that meeting was anything said about Mr. Glover satisfying the committee as to his qualification?—Yes; he said he had satisfied his committee as to his qualification at that meeting.

1588. Did you call upon him to give Mr. Martin a meeting in reference to that letter?—This statement of Mr. Glover took place before I read the letter; I then spoke

spoke to the meeting, and said it would be much more satisfactory to me if Mr. Glover would give Mr. Martin the meeting he asked for.

1589. What was Mr. Glover's answer to that?—That he was in the hands of his committee, and that his committee had decided that as Mr. Martin had challenged him to the hustings, he would meet him at the hustings.

1590. That was the decision of the committee?—That was said to be the decision of Mr. Glover's committee.

1591. I believe you put your name, with others, to a bill which was published immediately after that meeting?—I did; that is to say, I and some others went to Mr. Martin; Mr. Glover did not go.

1592. Is that it (*handing a paper to the Witness*)?—That is the bill we signed.

1593. At that time what was your opinion of this allegation of Mr. Martin's?—Mr. Martin said expressly that he did not come to support this bill; that is, what is stated in that bill; he merely came to say that Mr. Glover—he meant—I do not think he said so—but he meant that Mr. Glover had borrowed money of him under false pretences.

1594. Mr. Martin distinctly repudiated any connexion with the bill that had been sent to you in a blank envelope?—Yes.

1595. By the *Committee.*] But he made a charge of his borrowing money from himself on false pretences?—Yes.

1596. Mr. *Slade.*] I believe after the nomination you were sent to meet two gentlemen?—I was.

1597. Who were they?—Mr. Thorney and a gentleman who was introduced to me as Mr. Philip Champion Toker.

1598. Mr. Thorney brought Mr. Martin's letter?—Yes.

1599. What was the first intimation made to you by this gentleman?—After Mr. Toker had been introduced to me, Mr. Thorney told me that the communication he was about to make must be received by me in strict confidence; he then told me that Mr. Philip Champion Toker was the author of this bill.

1600. Did Mr. Toker wish to say anything?—He wished to offer proofs of some of the allegations in the bill.

1601. Were any proofs accepted by you?—About that time Mr. Richard Hodson, who is the gentleman that proposed Mr. Wells and Mr. Gilby, came into my office and examined the papers which Mr. Toker had brought, as well as myself. Those papers consisted, as far as I can remember, indeed the only ones that I saw was a bill in Chancery, which contained some charges as to Mr. Toker's property, and a case and opinion which had been drawn out on Mr. Toker's behalf by a solicitor, as to whether a prosecution would lie for a letter that had been sent.

1602. For libel?—I do not know whether it was not a prosecution for an attempted breach of the peace.

1603. Whom was it said to be written by?—It was said to have been written by Mr. Glover. I asked for the letter, and I was told that it was not in Mr. Glover's handwriting, and that he had repudiated having written it; I likewise asked for the answer to that bill in Chancery, which being upon oath would have been some proof of the statements; but that was not forthcoming.

1604. Was anything stated to you in that interview by Mr. Toker, which would lead you, as a professional man and as a sensible man, to doubt Mr. Glover's qualification?—Nothing whatever, except merely there is a charge in the bill that he had not a 5*l.* qualification; there was no proof laid before me; nothing whatever that could lead to anything except this bare assertion in the bill, which is a question particularly, and not an assertion.

1605. I believe there was some conversation as to Mr. Glover's having been very often in Beverley, but no charge made against him of that kind?—I told Mr. Toker that I thought that those accusations should have been made at an earlier date, if the accusations were made at all.

1606. Did you ask Mr. Toker why he had not put his name to the bill?—Yes, and he said he had been advised not to do it; I told him that he must excuse me if I said I should be very cautious in acting upon anything furnished to me by a gentleman who introduced himself as an anonymous libeller, who refused to put his name to it when he was asked to do so.

1607. Did he give you no proofs of the inferences that he would draw by his questions?—I should not say that, because the bill in Chancery certainly led to some

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some inference that there had been some transactions between Mr. Glover and Mr. Toker that were not very creditable.

1608. I am asking you whether he gave you any proof of the inferences as to the want of qualification?—None whatever.

1609. You told him to his face that you should be very sorry to place credit in the statement of an anonymous libeller?—I did so, and especially for this reason: Mr. Hodson complained very much that Mr. Toker had refused to put his name to this bill without being indemnified before he did so.

1610. Did you at that interview invite Mr. Toker to take upon himself the responsibility of the authorship of that handbill, and to meet Mr. Glover?—I did; I asked him to meet Mr. Glover, either on the hustings at that moment, in my office at a private meeting, or before Mr. Glover's committee, and repeat his charges, and Mr. Toker distinctly refused to do so.

1611. This was the nomination day itself?—Yes; Mr. Martin came down the day before, and Mr. Toker on the day of the nomination.

1612. This took place just after the nomination?—Yes.

1613. Were you at the hustings at the nomination?—I was.

1614. Did you hear anybody there question Mr. Glover's qualification?—I heard some conversation as to Mr. Glover's qualification about to be demanded.

1615. So was Mr. Wells's?—So I understand.

1616. Nothing beyond demanding Mr. Glover's qualification?—That they were about to demand it.

1617. No public notice was given that any votes would be thrown away?—No.

1618. Did you ever hear or see any public notice, that in the case of parties voting for Mr. Glover, their votes would be thrown away?—No, nor did I see any notice that he was disqualified.

1619. Your belief was that he was a perfectly well-qualified man?—I had no doubt of his qualification. Mr. Glover was a lawyer, and could understand whether he was qualified or not.

1620. He assured you and all the committee that he was?—He said before them that he was qualified.

1621. Was there anything upon that day, either the nomination or the election day, to prevent any notice being served?—Nothing at all. I had my wife and little boy on the hustings in the morning.

1622. And they got safe home?—Quite.

1623. To return back to that interview with Mr. Toker and Mr. Thorney: you say that he refused to meet Mr. Glover or to assume the responsibility of having written the bill?—Publicly to assume the responsibility.

1624. During that time a crowd collected?—Yes.

1625. I believe they discovered that Mr. Toker was in your office?—Yes, they had done so.

1626. Were there indications that they wished to see him?—At first I think they did not know who it was in my office; I think they thought it was some scheme that I was getting up against Mr. Glover; but ultimately we heard the name of "Toker."

1627. Did you upon that urge again upon Mr. Toker that he should take upon himself publicly the responsibility, by acknowledging the handbill?—I told him that it would be the fairest and safest way for him to do so.

1628. What did he say to that?—He asked me if there was a back way out of my office.

1629. I believe you then told him there was a safer way than the back way, which was to appear on the balcony, and address the people like an honest man?—I told him that there was no egress behind, and that he could not get out behind. I then told him that I would walk through the streets with him if he pleased, and Mr. Hodson offered to do the same thing; but I still urged upon him to address the mob, and take the responsibility of his own folly.

1630. I believe he did get to the door?—Yes; he commenced addressing the crowd there; and after he had spoken a few words, they pressed upon him. Unfortunately, my door-step is not raised above the ground; consequently, there was nothing to protect him from the pressure of the mob. Those who wished to hear him pressed those in front forward. I told him that he had better address them from the window, and we pulled him in, and shut and barred the door. I then went to the window, and I told the mob (there might be some 50 persons there,

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there, not more, and some women), and I told them that there was a gentleman had come down to make charges against Mr. Glover, and I thought it was their duty to give every one a fair hearing. I begged them to do so. I was hissed and hooted a little, but after a time those in front promised to hear him. I turned round to introduce Mr. Toker, thinking that he was close behind, when information was given to me that he had got over the tiles behind. I then told the mob that Mr. Toker had not dared to make the charges openly before them, and I, for one, did not believe them.

1631. I believe, at one time, the mob thought that you were hiding him?—Yes.

1632. You had some difficulty in persuading them to believe this?—I asked them to send one or two to search the office, which they did.

1633. All the time you was in a great fright lest he should be discovered in the water-closet or in the water-butt?—Not exactly so; but as I left my office I saw that the mob had rushed from another street to a yard, into which I thought Mr. Toker would have got, over the tiles; and I thought at that time, in a narrow passage, if Mr. Toker had been pulled out of a water-butt, or from some degrading position, he probably would get hustled; and it was my duty, not only as a magistrate, but having been appealed to by him, to protect him; and I went round that way, and after being there a quarter of an hour or 10 minutes I persuaded the mob to disperse. I then went home; and I believe they found out, in the interval, that Mr. Toker had got into a house, and they consequently left the place where I was.

1634. With regard to the notice that was signed by you, was it extensively circulated and placarded?—I believe it was.

1635. I believe you saw it?—I do not know anything about the circulation; I believe I saw it in the town; I believe I saw it when it was printed; I live out of the town; I was not there in the evening when it was put up.

1636. Did you see that one signed by Mr. Wreghitt?—Yes; with respect to this placard, Mr. Hodson and Mr. Alfred Croskill waited upon me after I had disposed of Mr. Toker, and stated that they wished to disavow any authorship of the placard, and to make use of my name in stating that Mr. Toker, or some person, they could not say Toker, as I believe he had given them information of his name in confidence, and they wished me to put my name to it, and they assured me that Mr. Wells very much regretted that bill being issued, and had had nothing to do with it.

1637. They were the agents of Mr. Wells?—One proposed him and the other seconded him. I cannot say anything further.

1638. They called upon you, and ascertained what had passed between you and Mr. Toker?—You will recollect that Mr. Hodson was there.

Cross-examined by Mr. *James.*

1639. You had been his agent at the former election?—No, I had not.

1640. Had you not received fees?—I received 10*l.* 10*s.* for some services rendered on the day of election; that was the only connexion I had.

1641. In your character as attorney?—Yes; I wish to distinguish that from agency; Mr. Shepherd was the agent.

1642. Did you receive 10 guineas at the former election, for professional services rendered?—I did.

1643. Did you vote for Mr. Glover at the former election?—I did.

1644. Did you vote for him at this election?—No, as I was not satisfied, as he had not taken my recommendation in meeting Mr. Martin.

1645. What did you recommend him to do?—To go and meet him in his room.

1646. What did he say?—That he was in the hands of his committee; but he would meet him on the hustings.

1647. And you requested him to meet him at once?—Yes.

1648. That was why you abstained from voting?—Yes.

1649. Had you not heard before that Mr. Glover took the benefit of the Insolvent Debtors' Act in 1849, in Ireland?—Yes.

1650. Did I understand you that Mr. Glover stated to you that he had paid off all his debts, except one, which was kept alive to give him a *locus standi*?—He made that statement publicly, at the White Horse, in the presence of 100 and odd electors.

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1651. It was believed by you?—Yes.

1652. Did he state the amount of the debt that he had kept alive?—£. 1,000, I believe.

1653. Did he say who was the creditor?—No; I do not know whether I stated that he had read a letter signed by various creditors, thanking him for having paid their debts after that insolvency.

1654. That he read?—Yes.

1655. When did you hear that he had taken the benefit of the Insolvent Debtors' Act in Ireland?—Shortly after the election of 1852.

1656. How did the matter arise?—It was mentioned to me in confidence by Mr. Shepherd

1657. Mr. Shepherd was his agent?—He had been.

1658. How many people were at the White Horse meeting do you believe?—I should say about 100.

1659. By the *Committee.*] Were they electors?—I cannot say that they were; they professed to be electors; about 100 people altogether; perhaps rather more.

1660. Mr. *James.*] About how many electors?—I should be very sorry to say how many; I believe they were chiefly electors.

1661. By the *Committee.*] That was on Thursday?—Yes.

1662. Mr. *James.*] Had not this question about his qualification excited some attention in the town?—No.

1663. That you swear?—I do; at least, I never heard it.

1664. Who put the question to him about the Insolvent Debtors' Court?—Nobody put any questions to him; he made his statement immediately on coming in.

1665. Then it is not true that several electors questioned him?—I did not hear them.

1666. Who was the chairman?—Mr. Wrighett.

1667. Is that the gentleman that he said he had given his desk to?—Yes.

1668. Was not Mr. Martin hustled on the previous night?—I heard that he had been so.

1669. Had you not heard that he had been hustled and ill-treated by the mob?—I had heard so.

1670. You say that he was afraid he might be hustled by the mob, consisting of 50 people, chiefly women?—Yes, and men.

1671. Did you entertain a fear that Mr. Toker might be hustled?—If Mr. Toker had walked away with Mr. Hodson and myself, my belief is that he could have gone away with safety.

1672. What do you mean by saying you feared that he would be hustled by the mob?—I thought if after Mr. Toker had run away he had been found, the mob might have hustled him.

1673. Was there mob enough to hustle anybody?—Yes.

1674. How had that mob collected?—I cannot tell.

1675. What were they chiefly?—I should think that they chiefly consisted of Mr. Glover's supporters; there were some Liberals, I know, and some women and children; what a mob usually consists of.

1676. Did the mob move off in search of Mr. Toker?—Yes, they moved off.

1677. Did the mob move off in search of Mr. Toker, from what you observed?—I will explain how it was: the mob moved off from my office, and I thought the matter was at an end, but as I got to—I do not know the name of the street—the street that runs at right angles at the top of the Lady Gate, I saw the mob, or I presume a part of them, who had been at my office, rushing down, instead of dispersing, a narrow alley which led to a yard that would be behind my office.

1678. Had you any doubt that that mob rushed off after Mr. Toker?—I have no doubt that they did; they went in search of him.

1679. Did you see this handbill up (*handing the same to Witness*)?—Yes, I have seen this handbill.

1680. Will you hand that in?—(*The same was handed in to the Committee.*)

1681. Where did you see it?—In the shop windows; I really cannot say when.

1682. Before the polling?—Yes.

1683. Was

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1683. Was not that before the nomination?—I cannot say that I saw it before the nomination; I will say that I have no doubt that it was issued before the nomination; I cannot say that I saw it; I did see it in the course of that day.

1684. In the shop windows, or posted?—Perhaps both.

1685. Did not Mr. Toker tell you that he was prepared to prove every allegation in that bill?—He may have done so.

1686. Did he or did he not tell you that he was prepared to prove every allegation in that bill?—He was prepared to abide by every allegation.

1687. Did he not say that he was prepared to support every allegation in that bill?—I think not.

1688. Will you swear that he did not?—No.

1689. When you say that he did not prove it, there was no tribunal to decide whether Mr. Glover had a qualification or not at the hustings; did he not tell you that he was prepared to prove every allegation in that placard?—I will not say whether he did or did not; I am certain that he said he was prepared to support that placard generally, and very likely every allegation in that placard.

[The Witness withdrew.

Mr. *William Bainton*, was called in; and, having been sworn, was Examined by Mr. *Dunbar*, as follows:

Mr. *W. Bainton.*

1690. I BELIEVE you reside in Beverley?—Yes.

1691. You are a landed proprietor?—Yes.

1692. You supported Mr. Glover in 1852?—Yes, I did.

1693. In 1857, I believe, you were not on his committee?—No.

1694. You proposed him?—I did.

1695. You received one of those handbills?—I did.

1696. When?—The anonymous handbill, the day before the nomination, on Thursday the 26th.

1697. Did you see Mr. Glover after that?—Yes.

1698. Did you ask him on the subject?—Yes.

1699. Did he give you an explanation?—He did.

1700. Was it satisfactory to you?—He stated that everything was false, with one exception, and that was, that he was insolvent in 1849.

1701. Before receiving that handbill, had you heard his qualification questioned?—Never in any instance.

1702. You did not know that there was any objection to it?—Not the least.

1703. Were you on the hustings when notice was served on him?—Yes.

1704. Was there any disturbance?—Not the least.

1705. After that Mr. Glover left the hustings?—Yes.

1706. Where did you go to?—To the Beverley Arms.

1707. Did Mr. Glover make a statement there?—Yes, respecting his qualification.

1708. Which was satisfactory to you?—I was perfectly satisfied.

1709. Did you make any statement to the electors on the subject?—Yes; I made a statement to the effect that I considered his qualification perfectly good.

1710. You afterwards went to Mr. Wylie?—Yes, to make a declaration as to his qualification.

1711. You were served with no notice of disqualification?—Not in any way.

1712. Would there have been any difficulty in serving you?—Not the least.

1713. Would there have been any difficulty in serving any single voter in the borough?—I imagine not.

1714. Do you think that that handbill had any effect on the votes of the electors?—I believe it had the effect of supporting Mr. Glover, who otherwise would not have had their support.

1715. Are you aware that any of those voters who supported him had any doubt of his qualification; did that handbill raise any doubt in the mind of any voter?—Not the least, in my opinion.

1716. There was no direct statement as to his qualification in that handbill?—Not the least.

1717. You would consider them imputations on his moral character?—That I did not consider affected his qualification.

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1717.* There was a notice afterwards served upon Mr. Wells, was there not?—Yes; I was one of the parties who served it.

1718. Why did you do so?—We considered it an insult to Mr. Glover in serving it, as we considered his qualification perfectly good, and it was the only way in which we could show that we considered it an insult.

1719. You never considered that it was any objection to the qualification, but that it was merely an insult?—Not the least.

Cross-examined by Mr. *James.*

1720. Did you see this (*handing a handbill to the Witness*)?—I have not any recollection of having seen it.

1721. You will swear that you did not see it in the shop windows?—I will swear that I never saw it, to the best of my recollection.

1722. Were you at breakfast on the morning of the nomination at the mayor's?—Yes, I was.

1723. Was not the subject of Mr. Glover's want of qualification talked of there?—No, it was not.

1724. It was not mentioned?—Not at the breakfast it was not.

1725. At the meeting before the nomination was not it talked of?—No; I do not recollect that.

1726. Did not Mr. Boys ask you if you intended to give Mr. Glover a qualification before the nomination?—I believe Mr. Boys asked me what his qualification was.

1727. When?—On the morning of the nomination; on the Friday.

1728. Was not it as you were going into breakfast at the mayor's?—I believe it was as we were coming out.

1729. Did not Mr. Boys ask you if you meant to give him a qualification?—I am not aware that he did; I believe that he did not, to the best of my recollection.

1730. Is your recollection accurate enough to enable you to swear that Mr. Boys did not ask you if you intended to give Mr. Glover a qualification?—I do not recollect that he asked me whether I intended giving him one, but I recollect his asking as to what his qualification was; that I recollect; it was talked of at the meeting, after the breakfast.

1731. Where?—At the mayor's.

1732. Before he went to the hustings?—Yes.

1733. What did you say about it?—I imagine I did not reply to it.

1734. Did you, or did you not?—I believe not.

1735. Who talked about it?—There was no talk after the observation of Mr. Boys, that I heard.

1736. Did not Mr. Boys say that he had no qualification, and ask you whether you intended to give him one?—No, he did not say that; he asked what his qualification was, to the best of my recollection, but not that he had no qualification.

1737. What did you say?—I believe I did not reply to it.

1738. Did he ask you whether you meant to give him one?—I believe not; to the best of my recollection, he did not.

1739. You had been at the meeting at the White Horse?—Yes.

1740. Was not his qualification talked of then?—Yes.

1741. When did you first hear that he had taken the benefit of the Insolvent Debtors' Act in Ireland?—On the Thursday, when Mr. Glover gave an explanation as to the anonymous handbill.

1742. What did he say about having taken the benefit of the Insolvent Debtors' Act in Ireland?—He said that he had taken the benefit of the Insolvent Debtors' Act in 1849.

1743. Did he say anything about his debts?—Yes; I think that he stated that some portion of his debts were left over, so that the Incumbered Estates Court might have an opportunity of selling his property.

1744. When were you served with a warrant to come here?—I was not served.

1745. When were you asked to come here?—Yesterday.

1746. When did you come?—I came yesterday.

1747. As what time?—I came by the half-past eight train, and I arrived here at half-past three this morning.

1748. Was

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1748. Was there any meeting yesterday at Beverley at which Mr. Almack attended?—I was not present at any meeting at Beverley yesterday.

1749. Who asked you to come up?—Mr. England.

1750. What time yesterday?—It would be about four o'clock.

1751. Who is Mr. England?—The agent for Mr. Glover's committee.

1752. Were you present at any meeting yesterday held at Beverley at which Mr. Almack was present?—No, I was not.

1753. Have you seen him?—No.

1754. Mr. England asked you to come up yesterdey?—Yes.

1755. Was that the first time that you were requested to come up?—It was.

1756. By the *Committee.*] When did you first hear of the insolvency of Mr. Glover?—On the 26th of March, the day before the nomination day.

1757. Did not that give you any impression that it was necessary to make inquiries as to his qualification?—Not the least; my impression was, that it was a slanderous statement of the opposite party.

1758. Have not you said that you were at a meeting at the White Horse?—Yes.

1759. Did not Mr. Glover make some statement there?—He said that his qualification was perfectly good.

1760. Did Mr. Glover make any statement as to his insolvency at the White Horse?—Yes; he stated that a part of his debts were standing over, so that the Incumbered Estates Court might come into effect so as to dispose of his property in Ireland.

1761. Did he state that he had been insolvent?—He did.

1762. After that, you did not think it necessary to make any inquiries as to his qualification?—No, his statement I considered amply sufficient, that he still had a good qualification; and that was confirmed by a declaration which he made afterwards. He stated that he had property in England, property in Kent; and he said that the value of it was fully ample. He stated that the value was upwards of 800 *l.*

1763. A year?—Yes. It was perfectly satisfactory to me that his qualification was good.

1764. Did he say what it consisted of?—Yes.

1765. What?—Farm land.

1766. In England?—Yes.

1767. Did he say that he had paid his debts, which had rendered his insolvency necessary?—Yes. There was a letter which he showed from his creditors in Ireland.

1768. What was the date of it;—I do not know; it stated that they were perfectly satisfied with the conclusion that he had come to as to leaving some of that property, so as to enable him to sell it under the Incumbered Estates Court.

1769. Did he say that he had paid those gentlemen in Ireland?—I believe not.

1770. Were you present when Mr. Glover made a declaration before a magistrate as to his qualification?—Yes.

1771. Who was that?—Mr. Wylie.

1772. Is he a magistrate?—Yes.

1773. You do not recollect any specific explanation from Mr. Glover with regard to the amount of the debts paid?—I do not.

1774. He did not say that he had paid all; did he give you the idea that he had paid all except that 1,000 *l.*?—I had that impression.

1775. Have you the impression that Mr. Glover told you that he had paid all the debts under which he had become insolvent, except that 1,000 *l.*?—Yes.

1776. Have you ever ascertained since whether that was true?—I have not.

1777. You do not know any more as to his insolvency now than you did then?—I do not.

1778. Just look at that letter (*handing a letter to the Witness*); do you recognise that letter?—I believe this is the letter; to the best of my belief it is.

[*The following letter was read by Mr. Tindal Atkinson:*]

"We, the undersigned, creditors and tradesmen of Edward Auchmuty Glover, esq., do hereby declare that he has invariably acted towards us in the most gentleman-like and honourable way, and that he has discharged all our demands on him in the handsomest manner, and perfectly to our satisfaction; and we further declare that we never at any time felt

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felt the slightest doubt as to being paid our debts; nor did we attach any blame whatever to him for passing through the court, inasmuch as we understood and believed that the same was occasioned by his having become, when young and inexperienced, security to a large amount for others, under circumstances which would justify any man taking a similar step.—Dated this 9th day of May in the year of our Lord 1854."

[The Witness withdrew.

Mr. *Harold Barkworth* was called in; and, having been sworn, was Examined by Mr. *Tindal Atkinson*, as follows:

Mr. *H. Barkworth.*

1779. I BELIEVE you are of Beverley?—I live there.

1780. You are a Banker there?—Yes.

1781. I believe you supported Mr. Glover in 1852?—I did.

1782. Do you know that he spent a considerable sum of money in that contest?—Yes.

1783. I believe you did not intend to support him in 1857?—No.

1784. Did you support him ultimately?—I voted for him.

1785. Why?—I did not come to a decision till the middle of the week; but it was in consequence of the scurrilous and shameful handbills which were being issued by the opposite party. There is a particularly malignant libel in this.

1786. Did you receive it without the printer's name, containing a number of questions; did you see that?—Yes, I saw a copy of it.

1787. Did you receive it yourself in any shape or way, or in the hands of another?—I did not receive it by post, but a friend of mine brought me one early in the morning, and told me that I must be quick about reading it, as a gentleman, another friend of his, was waiting to see it; and he took it back with him.

1788. Did you try to obtain one?—Yes.

1789. Did you take some pains to do so?—Yes.

1790. Were they so scarce that you could not get one?—They were very scarce.

1791. Did you go to Mr. Glover, at the Beverley Arms?—I did, that same day that that handbill came out.

1792. What for?—I wanted to learn whether there was any truth or foundation for those statements.

1793. By the *Committee.*] Was that at the meeting, or was Mr. Glover staying there?—It is the hotel where Mr. Glover was staying.

1794. Mr. *Tindal Atkinson.*] I believe you had not spoken to him before?—No, I had not.

1795. What did you say to him?—I said that I had come to learn the truth of those charges, or rather questions. I said that if he could disprove them, the handbill, so far from injuring him, would be of great service to his cause.

1796. After you had read that handbill, did it leave upon your mind any impression that he was not qualified as to property?—Certainly not.

1797. Was it a fact that in Beverley it was notorious that Mr. Glover had no qualification?—Decidedly not.

1798. Was it just the reverse of that?—I should say just the reverse.

1799. You were about, I believe, all the day of the nomination and the election?—Yes.

1800. I believe you heard at that time that it was a matter of conversation that his qualification had been demanded?—Yes.

1801. Although it was demanded, did you ever hear that it had been disputed?—I never heard anything about its being disputed.

1802. What is your remembrance of the facts of that election, with regard to putting a notice up at the polling-booths, or in any public place?—I should say that there would have been no difficulty at all in doing so.

1803. Mr. Alfred Croskill has been examined here as a witness; who has his foundry at this moment?—It is in the hands of trustees.

1804. Who are they?—Two partners in the bank to which I belong, and our chief cashier.

1805. What is Mr. Alfred Croskill's position with regard to that foundry?—He is in the receipt of a yearly salary for his services.

1806. Is

1806. Is he the sub-manager?—He has a good deal to do with the working of the foundry.

1807. Who is he under?—He receives his instructions from our chief cashier, who is one of the trustees.

1808. Has Mr. William Croskill, the father, anything to do with those works?—Nothing at all.

Cross-examined by Mr. *James.*

1809. You know this from confidential communications between customer and banker?—It is notorious in Beverley.

1810. More than the placard?—This want of qualification, I said, was not notorious.

1811. Is this matter known to you in your character as banker?—Yes; I am a partner, and it is known to me in that capacity.

1812. You have sworn that it was not notorious; can you give me the name of any voter who you will swear did not know it?—I did not know it; I did not know that his want of qualification was notorious.

1813. Can you speak for any more than yourself?—I should say by far the greatest majority of the electors.

1814. Did you not hear it talked of in the town?—Not his want of qualification.

1815. What had been?—That it had been demanded.

1816. I am speaking of before the demand?—I never heard a word about it before the demand.

1817. You went to the meeting before the demand at the "Beverley Arms"; did you not?—There was no meeting.

1818. What did you say to Mr. Glover at the "Beverley Arms"?—I do not recollect saying anything.

1819. What for did you go to see him at the "Beverley Arms"?—I went to ask him about the truth of those extraordinary charges.

1820. Was one of them taking the benefit of the Insolvent Debtors Act?—Yes.

1821. Did you ask him about it?—I asked him generally; not anything particular.

1822. Did he say that he had taken the benefit of the Insolvent Debtors Act in 1849?—He told me so afterwards.

1823. Did you read it in the bill?—I read that there was a question whether he had or had not.

1824. Did you ask him?—He said that he had; and subsequently to that, that he had paid all his debts due by him, with the exception of some small matter, which under the advice of his professional agents, or something of that kind, he had left open, with a view to some proceedings in the Incumbered Estates Court.

1825. Some small matters; did he state the amount?—I do not remember the amount.

1826. As a mercantile or a commercial man, and as a banker, do you know that if a person has taken the benefit of the Insolvent Debtors Act, if his schedule still remains on the file his future property is liable?—I do not know that for a fact.

1827. What in your opinion, as a mercantile man, is the effect of taking the benefit of the Insolvent Debtors Act, upon a person whose schedule remains on the file?—I do not know.

1828. Did you trouble yourself to inquire?—No.

1829. Did he say anything about any other qualification that he had, or any qualification?—No, he did not specify any qualification particularly; he said that he had satisfied his committee that he was a man of responsibility as to his qualification.

1830. Did he satisfy you?—I never entered into particulars with him.

1831. Not at all?—Not at all.

1832. By the *Committee.*] Are the Committee to understand that you are not aware of the effect of a person passing through the Insolvent Debtors Court?—No, I do not know.

1833. Not as a banker?—No, I do not know.

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1834. Should you give credit to a man who had passed through the Insolvent Debtors Court while his schedule was on the file?—No, certainly not.

1835. Why not?—Because I should say that a man who had passed through the Insolvent Debtors Court was always suspicious in point of trustworthiness in money matters.

1836. I thought you said that you did not know how it would effect Mr. Glover as to his qualification?—I did not know how it would effect Mr. Glover as to his qualification. I am speaking as to the effect of treating him as a bankrupt, and lending him money.

1837. In reference to his possession of property, what will be the effect of his passing through the Insolvent Debtors Court?—I suppose his property would be liable to his creditors.

1838. Then, if he had told you at this meeting that he had passed through the Insolvent Debtors Court, did not that raise any question in your mind as to his qualification?—He added that he had paid off all his incumbrances.

1839. If he had not done that, you would have questioned his qualification?—I do not know whether I should or not.

1840. If he had not told you that he had paid off all his incumbrances, you would have doubted his having a qualification?—I did not know what the effect would be in a legal point of view.

1841. Have you ever turned your attention to the matter of a qualification for a man to serve in Parliament?—No.

1842. You do not know how much it is?—I believe it is about 300 *l.* a year; but I also believe that there are a great many different kinds of qualifications which a man may have without possessing any real property.

1843. Do you mean to say that a man may have 300 *l.* a year without possessing any real property?—No, but he may have a qualification without possessing any real property.

[The Witness withdrew.

Mr. *Charles Arden* was called in, and having been sworn, was Examined by Mr. *Dunbar*, as follows:

Mr. *C. Arden.*

1844. I BELIEVE you are a Wine Merchant?—Yes.

1845. You supported Mr. Glover in 1852?—I did.

1846. Did that contest cost him some money?—I believe it did.

1847. Did you intend to support him in 1857?—No.

1848. You afterwards did?—I did.

1849. What altered your mind?—I thought that he was behaved ill to by an anonymous handbill that was sent to me, charging him with forgery, swindling, and a great many other dishonest acts, which could not be proved to the best of my opinion.

1850. You afterwards attended a meeting at the White Horse?—Yes.

1851. Mr. Glover was questioned about his insolvency?—Yes.

1852. Were you well satisfied with his explanation?—He acknowledged that he was insolvent once, but he had paid all his creditors off but one. He had some estates in Ireland which he wished to be sold under the Incumbered Estates Act.

1853. You heard, afterwards, that Mr. Glover had received notice to support his qualification?—Yes.

1854. Did he afterwards make a declaration before Mr. Wylie?—Yes, he did.

1855. You had no doubt of his qualification?—No; I supposed, of course, that he was qualified.

1856. You know a great many electors?—Yes.

1857. Many of the Liberal party?—Yes.

1858. Did you ever hear any of them say anything about Mr. Glover's want of qualification?—No; I never heard it at all.

1859. As far as you are concerned, it was not a matter of notoriety?—Not at all; I do not know that he has no qualification.

1860. If you had had a doubt that he was not qualified, another man would have been put up in his place?—Yes; if they gave notice of disqualification, we should

should have nominated another candidate, but no notice was served. I went to the poll at eight o'clock on the morning of the election, and no notice was served, therefore we did not put up any other candidate.

1861. What kind of election was it; was it quiet?—There was a good deal of excitement.

1862. Would there have been any difficulty in posting a notice?—Not the least.

1863. It would have been quite possible to serve every elector as he came up?—Yes.

1864. Did you post them?—There were handbills stating that Mr. Glover had not shown the pluck that he ought to have done, and that his supporters had said that he dared not meet Mr. Martin.

1865. Those were posted about?—Yes.

1866. I suppose, if they could post that they might very well have posted the notice of his disqualification?—Certainly, I should think so.

1867. There were ladies on the hustings, were there not?—A great many.

1868. No stones were thrown at them?—No.

1869. The Beverley people did not break heads there?—Nothing of that sort.

Cross-examined by Mr. *James*.

1870. There was no notice at the hustings, and all went on very quietly?—Yes.

1871. When did you decide that if notice had been served of his want of qualification, to put up another candidate?—On the nomination day.

1872. Did you see this (*handing a placard to the witness*)?—No. I have no recollection of seeing it.

1873. Will you swear that you did not?—No, I will not swear that I did not.

1874. This is pretty plain, "Fourth. That Mr. Glover did pass through the Insolvent Debtors Court in Ireland, in 1849, as Edward Glover"?—That Mr. Glover said he had.

1875. Where was it that you met and decided to put up another candidate?—On the hustings. I was talking to Mr. Silvester, and we agreed that if there was a notice of disqualification served, it would be proper to put up another candidate.

1876. Have you any doubt about it?—No; when we heard that he would be called upon to produce his qualification, we supposed the next step would be that they would serve a notice.

1877. You had not a doubt of the substantiality of the qualification; if notice had been given, must you not have entertained some doubt that this qualification was not good when you were preparing to put up another candidate?—No; I supposed he had a good qualification, but that it would be objected to from their giving notice.

1878. You were at a meeting at the White Horse; there were nearly 100 electors there?—Yes, I should think so.

1879. Was the qualification discussed there?—No; Mr. Glover said that he had a good qualification; it was asked whether he had.

1880. That was before it was demanded at the hustings?—Yes.

1881. What led to that?—On account of the anonymous handbill.

1882. Were you at a meeting yesterday at Beverley, and did you see Mr. Almack, who was examined there yesterday?—Yes.

1883. Did he hold a little meeting in Beverley yesterday?—I do not know that he did; I saw him.

1884. Was it in consequence of seeing him yesterday at Beverley that you came up to-day?—In consequence of seeing Mr. England.

1885. Was Mr. Almack there?—Yes.

1886. Where?—At Mr. England's office.

1887. Who were there?—Mr. Silvester, Mr. Gilby, Mr. Barkworth, and myself, and I think a clerk of Mr. England's.

1888. Mr. Almack was there?—Yes.

1889. The gentleman who was examined here on Saturday?—I believe he was; I do not remember; I heard it.

1890. Did he not tell you that he was examined before the Committee on

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Saturday?—Not me; I was only there two or three minutes.

1891. Who asked you to come here to day?—Mr. England.

1892. Had you ever heard of being a witness before yesterday?—No.

1893. Were you served with a Speaker's warrant?—No.

1894. You voted for Mr. Glover?—Yes, and Mr. Denison.

1895. What were Mr. Glover's politics?—I really do not know.

1896. In supporting Mr. Glover, what politics did you think that you were serving?—I cannot say; it was not a question of politics; I considered that he was an ill-used man.

1897. Can you say what politics he supported?—I do not know.

1898. By the *Committee.*] Do you know what he professed?—His professions were very broad; I really cannot say.

1899. Were they Conservative, or Liberal?—Liberal, principally.

1900. I thought they were Conservative?—I do not know, really.

1901. Not what he professed to be?—I cannot tell; he professed to be a liberal supporter of Lord Palmerston.

Re-examined by Mr. *Slade.*

1902. You did not at first intend to vote for Mr. Glover?—No.

1903. You were changed in your opinion by having read this anonymous placard?—Yes.

1904. Yesterday you were asked to go to Mr. England's office?—Yes.

1905. Is he a local solicitor?—Yes.

1906. I suppose you stated what you knew, and what had operated upon your mind?—Yes.

1907. Whether it was yesterday or a week ago, what you have stated is the truth?—Yes.

[The Witness withdrew.

Mr. *William Wreghitt* was called in; and having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *W. Wreghitt.*

1908. YOU were the Chairman of Mr. Glover's committee?—I was.

1909. At the last election?—Yes.

1910. As chairman of Mr. Glover's committee, had you any information from Mr. Toker with reference to that anonymous handbill, which has been referred to?—None, whatever.

1911. Did you hear from Mr. Toker that he desired to meet Mr. Glover, or that he was the author of the placard?—No.

1912. You had no communication with Mr. Toker?—I never saw him, nor heard anything from him.

1913. I believe Mr. Glover was originally introduced to you at Beverley, and to the constituency, by Colonel Hatton, at the election of 1852?—He was.

1914. And he was represented to be a man of respectability and property?—He was.

1915. Did you, as chairman of the committee, consider him to be a duly qualified person?—I did.

1916. Did you ever hear a whisper against his qualification till that anonymous bill was circulated among some of the electors?—Never.

1917. What do you consider that bill as?—As the production of a malicious and vile person.

1918. Do you consider it a serious charge, or merely an electioneering trick?—As no charge at all; they were merely questions asked, insinuating certain things; not charging him with them.

1919. Will you state whether those that supported Mr. Wells had competent and good legal advisers with them?—They had.

1920. Parties perfectly competent to advise them if they really questioned Mr. Glover's qualification, what course to pursue?—They were always represented to me as such.

1921. You know Beverley?—Yes.

1922. Do

1922. Do you know the legal parties acting as the legal advisers to Mr. Wells's party?—Yes.

1923. Were they men of position in the profession?—Yes.

1924. Old electioneering men?—They had been accustomed to conduct elections in Beverley for the last 15 years, to my certain knowledge.

1925. Those parties acting for Mr. Wells?—Yes.

1926. You voted for your candidate?—Yes, I did.

1927. What are your politics?—A Liberal Conservative.

1928. And oocasionally Conservative Liberal?—Yes; conserving what is good and adapting it to the present times.

1929. After that anonymous bill was issued, was it thought right to convene a meeting of Mr. Glover's committee?—It was.

1930. Was it held at the White Horse?—Yes.

1931. On the evening of the 26th of March, was it?—In the afternoon; I think, about two o'clock.

1932. Was Mr. Glover asked as to the statements contained in the handbill?—Yes; I walked with him from the hotel to the White Horse for the very purpose of pressing him before his committee.

1933. What was his answer?—The questions that were put were these:—"Mr. Glover, I thought it right to press you before your committee, and ask you, in reference to the statements put forth in this bill, whether they are true or false."

1934. What was Mr. Glover's answer to his committee?—"There is but true statement in the whole; the one referring to my insolvency." The next question was this: "I think it right, Mr. Glover, to ask you whether you are now duly qualified to sit in the House of Commons;" or "Have you a *bonâ fide* property qualification."

1935. You, as one of the electors, had a deep intesest in the question whether the man you were putting forward was qualified to sit or not?—Of course, a deep interest.

1936. What was Mr. Glover's answer?—"On the honour of a gentleman, I have."

1937. Was this openly stated, so that all the meeting might hear?—It was.

1938. Do you recollect a letter being read from his creditors in Ireland?—I do.

1939. Was any statement made as to the property which qualified him now?—There was.

1940. What was it?—He referred to certain estates in the county of Kent.

1941. Was anything said about putting his desk in your hands?—There was.

1942. What was it?—He stated to the electors present that he should put his desk in my hands for the purpose of allowing me to ascertain whether he was not the person that he represented himself to be; it was to show that he was not a designing swindler; that was the insinuation in the bill, and that his friends were not of the refuse of society.

1943. Were these letters in that desk open, which would enable you to ascertain what the connexions of Mr. Glover were?—That was the object.

1944. Not for the purpose of ascertaining the truth of his statement as to his qualification, but to ascertain the truth of his statement as to the respectability of his connexions, and the place in which he moved in society?—Yes.

1945. I understand that that meeting was held on all the questions in the bill?—Yes. The broad question was asked, "Are those insinuations correct."

1946. And in answer to that he said, "I have placed my desk in the hands of Mr. Wreghitt?—Yes; he said, "There is only one true charge in the whole."

1947. Did he also state there were still some debts unpaid, to enable him to sell his estates through the Incumbered Estates Court?—Yes, he did.

1948. In consequence of that, did you put your name to that handbill (*showing it to the Witness*), and cause it to be printed, and have it extensively circulated throughout the borough of Beverley?—I did.

[*The following Placard was read:*]

To the Electors of Beverley.

In reference to the infamous charges set forth in an anonymous placard this morning, respecting Mr. E. A. Glover, he has appeared before his committee and a great number of electors this afternoon, and has fully cleared himself of the charges contained therein to the satisfaction of all present.

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1949. You published that in pursuance of a resolution of the meeting?—Yes, I did.

1950. And can you tell us how many copies were printed off?—I do not recollect, but a great number; a number which we considered sufficient to be distributed throughout the town.

1951. And to give notice to all the electors?—Yes.

Cross-examined by Mr. *James.*

1952. It made the matter a little notorious; the matter about taking the benefit of the Insolvent Debtors' Act is one of the charges in the bill?—Yes.

1953. Wnat time of the evening before the nomination did you circulate those bills about the borough?—Immediately after the meeting was held, at two o'clock.

1954. It had attracted people's attention in the town; the charges, I mean?—To some extent I dare say it did.

1955. Was not one charge that he had taken the benefit of the Insolvent Debtors' Act?—Certainly; he admitted that.

1956. As to the 5 *l.* qualification, was not that one of the charges?—Yes, but it was not named.

1957. And your bill must have made the matter a little notorious?—It did make the matter a little notorious; we wished it to be made notorious that he had appeared before his committee, and satisfied his committee and supporters.

1958. Did Mr. Glover go out of town that day?—In the morning of that day he did.

1959. About what time?—I should say between eight or nine o'clock in the morning.

1960. What time did he return?—I think about 12, as near as I can remember.

1961. Did you know where he had gone?—I did; or at least I knew this, that it was agreed at his committee-room the previous evening that he should have Thursday to rest and recruit his energies, preparatory to the nomination on the following day.

1962. Do you mean to represent that?—I will swear it.

1963. Did the committee look for another candidate after he had gone?—No, they did not.

1964. That you swear?—Yes.

1965. Where did he go to?—We have a large free pasturage, called Westwood, and the Furze adjoining, and he had taken a horse from the hotel where he was staying, for a little recreation.

1966. That is what you represent?—That is the fact.

1967. Was nothing said about having another candidate in his absence?—Not by his committee.

1968. In your presence, during his absence, was not something said about having another candidate?—There was by the last witness; no, I mistake, by Mr. Silvester and Mr. Barkworth; he came to my house to inquire where Mr. Glover was.

1969. By the *Committee.*] Was this Thursday?—Yes; I informed them that his committee had given him that morning to be at liberty to do as he thought proper. I could not exactly say where he was, but I had no doubt he would very soon return; and nothing more was said upon that point.

1970. Will you swear that something was not said about having another candidate during his absence; you said not by the committee?—I repeat that; not by Mr. Glover's committee; not by any member of Mr. Glover's committee.

1971. Was anything said about it?—The inquiry was simply put, would it not be advisable, and I said, certainly not.

1972. What?—To introduce another candidate.

1973. Why?—The rumour in the town was that Mr. Glover had left Beverley.

1974. Was that after the arrival of the handbill?—It was after I received my copy.

1975. Did you tell Mr. Glover that you had received that handbill?—No.

1976. That you swear?—I will.

1977. Did Mr. Glover know that you had?—No.

1978. That you swear?—I will.

1979. Did you see Mr. Glover before he left the town?—No.

1980. What

1980. What time did you get that handbill?—A little after ten.

1981. Was that the first time you saw it?—Yes.

1982. Mr. Silvester said, "Would not it be advisable to have another candidate." What time was that?—About half past eleven, from that time to a quarter to twelve.

1983. Did he say why?—Simply on the ground of the rumour that was in circulation through the town.

1984. What did you say to that?—I said, certainly not.

1985. What rumour was it?—A rumour which was in circulation, that Mr. Glover had left the town.

1986. Why did not Mr. Silvester suggest; was not there something more than that?—Nothing more.

1987. That you swear?—Yes; Mr. Silvester was not a member of the committee, and, consequently, knew nothing as to what—

1988. I am speaking of a communication to you, as the chairman of his committee, did not Mr. Silvester allude to the rumour about the town as to the handbill and the qualification?—He never mentioned the handbill.

1989. What rumour was it?—The rumour that was in circulation through the town from mouth to mouth, that Mr. Glover had left the town.

1990. What did Mr. Glover tell you about taking the benefit of the Insolvent Debtors' Act?—He told me that he had done so in 1849, and that he had paid the demands upon him with the exception of 1,000 *l.*, which he had intentionally left upon the property in order to enable him to dispose of it under the Encumbered Estates Act.

1991. Where did he tell you that, and when?—In the White Horse room.

1992. After he came back?—Yes.

1993. What did he say about his property in Kent?—That he had a sufficient amount of property in Kent to qualify him to sit in the House of Commons.

1994. Did he say the amount?—He did not.

1995. Did not a man go upon your own pony to Captain Watts to come forward as another candidate?—No.

1996. That you swear?—I will.

1997. Did anybody go to your knowledge?—I will state that the excitement in the town, arising from the report, was very considerable, and I sent a man with my pony to Captain Watts to see if Mr. Glover had gone there; I thought it possible, but I found that such was not the fact, that he had not been there.

1998. You sent after him?—I sent a messenger with my pony to that place only; I had heard it reported in the town that he had gone to Captain Watts.

1999. Your name has been given in as the agent here; you have been attending during the whole inquiry, and have heard all the evidence?—Yes.

2000. Are you the agent; are you not a linen-draper in the town?—I was one of this committee.

2001. Are you acting professionally in any way as agent?—I was put on in order to identify the witnesses.

2002. Have you heard the whole of the evidence?—I have.

Re-examined by Mr. *Slade.*

2003. With reference to this rumour about Mr. Glover's having left the town, I suppose that was principally raised on account of this handbill that was circulated?—I believe so.

2004. Then they got up the rumour, because the gentleman had ridden out, and that he had left the town?—Yes.

2005. This excited very much the electors, and you sent your boy on a pony to Captain Watts, where you heard he had gone?—I sent a man living in the neighbourhood.

2006. Was that the origin of Captain Watts being applied to, inviting him to come forward as a candidate?—I know of no other.

[The Witness withdrew.

Mr. *Slade* stated that he had closed the case for the Sitting Member.

Mr. *Charles Brereton* was called in; and, having been sworn, was further Examined by the Committee as follows:

Mr. C. *Brereton.*

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2007. CAN you give any information to the Committee as to the amount of the knowledge which you believed to have been possessed by the electors in the town previously to the election, in reference to the doubts as to the qualification of Mr. Glover?—I believe there was no elector in Beverley ignorant of Mr. Glover's supposed want of qualification, except those who were wilfully ignorant, and pretended to be ignorant. It was patent to the whole town.

2008. It was patent to the whole town?—Yes, that he was not qualified; that he was a man without property, and not qualified.

2009. There were doubts as to his qualification?—Perfect doubts; more than doubts. If you had canvassed the electors, you might have got 20 to 1 upon it.

2010. Have you any facts to mention in corroboration of that opinion?—Only by general conversations with friends whom I met, and many of his own friends, some of whom have given evidence here to-day. I have heard them express opinions which led me to believe that they were perfectly acquainted with his non-qualification.

2011. At all events you are confident that a very large proportion of the electors of Beverley knew that there was a question with regard to the qualification of Mr. Glover?—I am positive of it; with regard to absenting himself from the town that morning, I saw, I would say, between my own house, within 200 yards, more than 25 of his own special adherents, who absolutely told me most of them that he ran away. The man at the inn, that he was at, told me that it was the case, that he would never come back, but he might get his horse back.

2012. How do you account for the fact that no notice was served, that he was not duly qualified?—From the excitement on the night of the nomination, I was induced to swear in more than as many more special constables has had ever been known to have been in the town for the sake of keeping quiet on the day of the election; and the town was in such a state, that it was really very dangerous for any individuals to go about. If I had had to give notice from the hustings, that we did not adopt or recognise Mr. Glover's qualification, if I had told any of the people, so as to proclaim it, either by delivering handbills, or placarding them on the hustings, it is my firm belief that the hustings would have been pulled down and our lives would have been in danger.

2013. Would there have been any difficulty in placarding the walls of the town; not at the hustings?—They might have placarded them probably in the outskirts, but if any person had been seen to placard them, the excitement in the public mind was so great, the infatuation was so great, that I should not have liked to be one to have done it.

2014. Was it not in your knowledge, as returning officer, on the day of the nomination, that a gentleman with a lady and child were there, so quiet were the hustings?—I do not know that; there were many people on the hustings; I cannot swear whether there was or not; I do not doubt that there were ladies on the hustings.

2015. Mr. *Slade.*] I suppose you are a very strong supporter of Mr. Wells?—I am.

2016. I understand you to say that there would have been danger of a riot if you had fixed placards stating that this gentleman had no qualification?—I should have expected to get my own head broken, and all persons who were known to be adverse to Mr. Glover.

2017. Yet you say everybody knew that he had no qualification?—Everybody knew that it was reported through the borough, and was the subject of conversation from the facts that had transpired as to some other things, there was no doubt in the breasts of many individuals, influential people, that he was not qualified.

2018. Was any riot occasioned by demanding his qualification, if it was demanded?—No, I believe; I do not know; but I believe it was demanded in rather a private way.

2019. No; on the hustings; was not his qualification demanded on the hustings?—His qualification was produced, I believe. We were waiting anxiously at the hustings expecting that no qualification would be produced; and I was very much surprised that his qualification was produced. I did not see the qualification; I was told that one had been produced.

2020. Was

2020. Was there any disturbance or riot when the qualification was demanded?—I cannot say to an hour or two when the qualification was demanded; I am not aware that there was any riot.

2021. Was there any disturbance or riot when the qualification was demanded?—I cannot say; the qualification was demanded, I believe, privately; some persons waited upon him; not publicly.

2022. Do you know if any preparations were made by writing out notices; you say that it would have been dangerous to affix notices of his want of qualification?—Yes, dangerous to those who were adverse to Mr. Glover.

2023. Do you know whether any preparations were made by writing out notices?—I cannot positively swear that there was, but I was told that a notice was drawn up.

2024. By the *Committee.*] You knew nothing about it?—No.

2025. Mr. *Slade.*] You are not a partizan?—I am not.

2026. Mr. *James.*] You said before, that you were anxious for the respectability of the borough?—Yes.

2027. At the nomination the qualification was demanded at the hustings; after they had demanded the qualification, did you see Mr. Glover come back and address the people from the hustings, with the demand for qualification in his hand and wave it?—I was told of it; I did not see it.

2028. Was that after the nomination was over, with reference to this qualification, that you found excitement in the town?—There was a great deal of excitement in the town after.

2029. His qualification had been demanded?—It had been demanded, but it was not pressed.

2030. You say among his own supporters you heard it talked of?—Many of his own supporters told me both before and since, that he was not qualified.

[The Witness withdrew.

Mr. *Slade* was heard to sum up the evidence on behalf of the Sitting Member.

Mr. *James* was heard to sum up the evidence on the part of the Petitioners.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

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WITH THE

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Circumstance of witness having received from London on the 26th March, a handbill, in which Mr. Glover's insolvency and non-qualification were alluded to, *Brereton* 378–380——Witness heard that Mr. Toker had come to Beverley and avowed himself the author of the handbill, *ib.* 401, 402.

Statement as to a summons having been left at witness's residence last evening relative to the handbill reflecting on Mr. Glover, *P. C. Toker* 525–529.

Witness heard Mr. Philip Toker avow himself the author of the handbills which had been circulated at Beverley, and heard him state that Mr. Glover had no qualification; this was done in the presence of different electors at different places, *Thorney* 640–665. 682–687——Witness saw several people reading the handbills sent to Beverley by Mr. Toker, *Boyes* 828, 829.

Witness did not intend to vote for Mr. Glover, but did vote for him in consequence of the anonymous and discreditable handbill, containing reflections on his character, *M. Clark* 1204–1218. 1223–1241. 1269, 1270; *Almack* 1297–1302; *Fox* 1358–1361; *Taylor* 1397–1401; *Padgett* 1492–1495. 1501; *Findlater* 1519–1523; *Barkworth* 1783–1786; *Arden* 1847–1849. 1894–1903.

Witness heard something about Mr. Toker coming to Beverley, but not that he had avowed himself the author of the handbill, *M. Clark* 1244–1255——Witness had heard of the anonymous handbills, but did not see any placarded about, *M. Clark* 1267–1280; *Fox* 1356, 1357. 1387——Witness did not look upon the bill as any notice of disqualification, *Padgett* 1496, 1497. 1504–1507; *Findlater* 1524, 1525.

Witness did not take any part in the late election until just before the nomination, *Silvester* 1562–1565——On the day before the nomination, he received by post from London an anonymous handbill reflecting on Mr. Glover, which he looked upon as a very disgraceful production, *ib.* 1566–1571. 1574——There were not many of these handbills about, *Silvester* 1572, 1573. 1679–1684; *Bainton* 1720, 1721; *Barkworth* 1787–1790.

Particulars of a meeting between witness and Mr. Philip Champion Toker, Mr. Thorney, and others, relative to the handbill; absence of proper proof in support of the allegations therein, *Silvester* 1596–1612. 1685–1689——Witness told Mr. Toker he should be sorry to place credit in the statement of an anonymous libeller, *ib.* 1606. 1609——Mr. Toker refused to meet Mr. Glover, or publicly to assume the responsibility of having written the bill, *ib.* 1610. 1623——Mr. Toker said he was prepared to abide by the allegations in the handbill, and that he was prepared to support it generally, *ib.* 1685–1689.

Witness, who proposed Mr. Glover, received one of the anonymous handbills, *Bainton* 1694–1696——The handbill raised no real doubt as to Mr. Glover's qualification, and induced several voters to support him, *ib.* 1714–1717——Witness, as chairman of Mr. Glover's committee, did not receive any communication from Mr. Toker relative to the anonymous handbill, *Wreghitt* 1910–1912——Witness considers the insinuations in the handbill as the productions of a malicious and vile person, *ib.* 1917, 1918.

See also *Attack on Mr. Toker.* *Qualification (or Disqualification) of Mr. Glover.* *Wells, Mr.*

Harty Estate (Kent). Particulars relative to the Harty' estate of Mr. J. B. Toker, that is, Buttsmarsh and Brewer's Hill; the total mortgage is 11,600 *l.*, upon 2,000 *l.* of which interest is not paid, *Ommaney* 165–207——As regards the Harty or Brewer's Hill estate, Mr. John B. Toker owns about 370 acres of it; doubt as to its value per acre, *P. C. Toker,* 554–561.

The Harty estate comprises altogether about 640 acres, of which about 600 acres are worth from 35 *s.* to 40 *s.* an acre, *Elliott* 932–940——Estimate of 37 *s.* an acre as the proper value of the 630 acres comprised in the Harty estate; it might be made much more valuable, *Cousins* 1023–1032.

Estimate

Report, 1857—*continued.*

Harty Estate (*Kent*)—continued.

Estimate of from 35 *s.* to 40 *s.* an acre as the value of the Harty property, *Captain J. B. Toker* 1100, 1101——Reason why the property is now let at only 25 *s.* an acre, *ib.* 1103–1110. 1193–1200——Periods at which witness raised the mortgages on the property, and at which the mortgagees came into possession, *ib.* 1111–1134.

Haylett, John. (Analysis of his Evidence.)—Was attesting witness to the lease of the premises of the Oaks estate; did not actually see Mr. Glover sign the deed; does not recollect that Miss Toker was present in the house at the Oaks at the time, 1045–1065——Identifies the signature of Miss Toker to the deed, 1054–1057——As regards the receipt in the deed for 700 *l.* from E. A. Glover, witness did not see the money pass; there was an execution in the house at the time, 1066–1080.

Hind, Luke. (Analysis of his Evidence.)—Clerk in the office of Messrs. Leman and Clarke, solicitors at York and Beverley, 727–729——Assisted Mr. Clarke in conducting the election of Mr. Denison and Mr. Wells; also took a part in the election of 1852 and the preceding election, 730. 755, 756. 769–796——On the day before the nomination and the nomination day the fact that Mr. Glover's qualification was disputed was generally known in Beverley, 731–754. 768.

On the polling day the booths were surrounded by excited crowds friendly to Mr. Glover, and it would have caused a riot if an attempt were made to serve each voter with a notice of disqualification, 755–767. 782–784. 797–803——Circumstance of a statement having been put out on the polling day placing Mr. Wells ahead of Mr. Glover; explanation hereon, 804–823.

I.

Insolvency of Mr. Glover. Documents handed in relative to the insolvency of Mr. Glover in Ireland in 1849, *Ev. p.* 2.

In 1855 witness first communicated with Mr. Shepherd, of Beverley, as to Mr. Glover having taken the benefit of the Insolvent Act in Ireland; this was with reference to Mr. Glover having stood for Beverley in 1852, *P. C. Toker* 238–247——After the election of 1852, and previously to the late election, the insolvency of Mr. Glover in Ireland was a matter of frequent conversation in Beverley, *Nutchey* 477–484——Witness did not consider that the insolvency of Mr. Glover in 1849 disqualified him in 1857, and had not the least idea in voting for him that he was throwing his vote away, *M. Clark* 1238–1243. 1290; *Almack* 1316–1336; *Fox* 1380–1393; *Findlater* 1526–1537.

Reference to Mr. Glover's statement about his insolvency in Ireland; he said he had paid off all his debts, except one of 1,000 *l.*, which had been kept open in order to give him a *locus standi* before the Encumbered Estates Court, *Silvester* 1582–1586. 1649–1665; *Bainton* 1700. 1741–1743. 1756–1777; *Wreghitt* 1929–1947. 1990–1994——Reference to a letter signed by Mr. Glover's creditors in Ireland complimentary to him in the matter of his insolvency, *Bainton* 1767, 1768. 1778——Statement made to witness by Mr. Glover as to his having been insolvent in 1849, *Barkworth* 1820–1825. 1838——Explanation as to witness not having understood that the insolvency rendered Mr. Glover disqualified, *ib.* 1826–1843.

See also *Election of* 1852. *Qualification* (*or Disqualification*) *of Mr. Glover.*

Irish Property of Mr. Glover. See *Curaghclonbro Estate.* *Insolvency of Mr. Glover.*

M.

Marriage Settlement Deeds (*Mrs. J. B. Toker*). Witness, as solicitor for Mrs. J. B. Toker, has brought the marriage settlement deeds, dated 18 September 1854, but the same having been deposited in his hands by Mrs. Toker, declines to produce them, unless ordered to do so by the Committee, *Annesley* 30–37.

The Committee state that they will not at present enforce the production of the deeds, *Ev. p.* 3.

Witness prepared the marriage settlement between Mr. and Mrs. John Buck Toker, *Turner* 39——Received written instructions from Mr. and Mrs. Toker and Mr. Glover; produces these instructions and a copy of the deed, *ib.* 40–50——Examined the copy produced with the original, and vouches for their identity, *ib.* 44, 45. 57–62.

See also *Curaghclonbro Estate.*

Martin, Mr. Reference to a gentleman of the name of Martin, who had gone from London to Beverley, as having been ill-treated by the mob because of his having made statements about Mr. Glover, *P. C. Toker* 264, 265. 279. 361–363——Considerable disturbance in consequence of Mr. Martin, editor of the "Sun" newspaper, having convened a meeting with reference to Mr. Glover's non-qualification, *Brereton* 381–391.

Report, 1857—*continued.*

Martin, Mr.—continued.

Reference to a placard signed by Mr. Silvester and other supporters of Mr. Glover, stating that Mr. Martin had repudiated all connexion with the handbills, *Boyes* 847–850. 857–862——Witness understood, from the counter-statement put forth by Mr. Glover's friends, that Mr. Martin had proved nothing, *M. Clark* 1212–1214.

Reference to a note from Mr. Richard Martin, barrister, asking for a meeting with Mr. Glover, and stating that he could prove that he was not a proper person to represent Beverley in Parliament; this was handed to witness on the day of nomination by Mr. Thorney, solicitor of Hull, *Silvester* 1575–1577——Witness subsequently read Mr. Martin's note in Mr. Glover's presence, at a meeting at the White Horse; he asked Mr. Glover to give a meeting to Mr. Martin; but it was stated that he was in the hands of his committee, and would meet him on the hustings, *ib.* 1578–1580. 1588–1590——Reference to a bill signed by witness and some others, relative to the statement of Mr. Martin, *ib.* 1591, 1592. 1634, 1635——Mr. Martin disclaimed any connexion with the anonymous handbill; he made some charge about Mr. Glover borrowing money from him under false pretences, *ib.* 1593–1595——Witness did not vote for Mr. Glover, because of his not meeting Mr. Martin, *ib.* 1644–1648.

Mayor of Beverley. Neutral part taken by witness at the election, *Brereton* 409–421. 425——Witness is a supporter of Mr. Wells, but not a partisan, *ib.* 2015. 2025.

Mortgages. See *Harty Estate.* *Oaks Estate.*

N.

Naylor, James Richard. (Analysis of his Evidence.)—Produces the writ and return for the last election, 1–4——Also the poll-books, 5.

Nicholson, William. (Analysis of his Evidence.)—Produces, from the Crown-office, in the Temple, the declaration of qualification made by Mr. Glover, 66–70.

Non-Qualification of Mr. Glover. See *Qualification, &c.*

Notices of Disqualification. It would not have been safe to have served each voter with a notice of Mr. Glover's disqualification, *Westerby* 609, 610; *Boyes* 839, 840——Circumstance of witness having conferred with Mr. Clark, Mr. Denison's agent, as to the expediency of serving each voter with a notice of Mr. Glover's non-qualification; they decided upon not doing so on account of the excitement, *Thorney* 666–681. 687–703——The excitement was such that the placarding of notices would have been unsafe, *Thorney* 699–722; *Brereton* 2012–2025——On the polling day, the booths were surrounded by excited crowds friendly to Mr. Glover, and it would have caused a riot if an attempt were made to serve each voter with a notice of disqualification, *Hind* 755–767. 782–784. 797–803.

There was no public notice whatever as to Mr. Glover's disqualification, *Fox* 1355; *Taylor* 1402–1404; *Findlater* 1525; *Silvester* 1617, 1618; *Bainton* 1711——There would have been no difficulty whatever of posting up notices of Mr. Glover's qualification, *Taylor* 1405–1409; *Barkworth* 1802; *Arden* 1861–1870——There would have been no difficulty in serving notices generally, *Bainton* 1712, 1713——If notice of disqualification had been served, another candidate would have been nominated; reference to a conversation between Mr. Silvester and witness on this point, *Arden* 1860. 1871. 1875–1877.

Nutchey, John. (Analysis of his Evidence.)—Is an elector of Beverley; has lived there many years, 472–476——After the election of 1852, and previously to the last election, the insolvency of Mr. Glover, in Ireland, was a matter of frequent conversation in Beverley, 477–484——After Mr. Glover was served with the notice about his qualification, he read it out to the people and made some remarks upon it, 485–492.

Witness signed the demand of qualification; explanation hereon, that it was in fact made at his suggestion, 486, 487. 510–518——It was also rumoured in the borough that Mr. Glover had no qualification in respect of his property in Ireland, or in Kent, 493, 494. 508, 509. 519–524——Witness canvassed with Mr. Wells on several occasions; a person of the name of Greenhow also canvassed with him, 495–507.

O.

Oaks Estate (Kent). Witness produces a deed by Miss Grace Toker, dated 16th November 1853, relative to the Oaks property in Kent, *Bathurst* 78——Particulars as to this property; it is not so valuable as it used to be, and is now hardly worth 150*l.* a year, *ib.* 79–100——As clerk to Mr. Bathurst's brother, witness was one of the attesting witnesses to the deed executed by Miss Grace Toker in November 1853, *Tucker* 101–103.

Witness produces the deed of mortgage of the Oaks property in Kent, dated 13th July 1849,

Report, 1857—*continued.*

Oaks, Estate (*Kent*)—continued.

1849, *Ommaney* 105, 106——Names of the mortgagees and periods for which they have been in possession, *ib.* 109-114. 119, 120——The aggregate rents of the property are 140*l.* a year, and the interest on the mortgage money 125*l.* a year, *ib.* 115-118. 139, 140——The house and gardens, &c., are let to Miss Toker for 60*l.* a year, *ib.* 115. 139, 140——Explanation relative to a paper showing how the rents were accounted for, and the interest paid over to the mortgagees, *ib.* 141-148. 189-191——Total amount of the mortgage on the property, *ib.* 149. 208-215.

Impression that when Miss Toker bought the Oaks, the purchase-money was 6,500*l.*, *Ommaney* 150-155. 210-213——Reference to a recent communication between witness and Mr. Holmes and his solicitors; witness was not offered a transfer of the mortgage money on the Oaks, *ib.* 156-164. 216-226——Witness, on the part of the mortgagees, has been in possession of the property for two or three years, Miss Toker remaining as a tenant of part of it, *ib.* 186-188. 227-230.

The Oaks estate was once witness's property; he sold it to his aunt, Miss Grace Toker, for either 7,250*l.* or 8,250*l.*, *P. C. Toker* 533-536——Particulars relative to the character and annual value of the estate, *ib.* 537-553.

Particulars relative to and valuation of the different portions of the estate; aggregate valuation of from 350*l.* to 360*l.* a year, *Elliott* 914-931. 947-980. 989-995——Witness has not been in the habit of valuing property, but has considerable knowledge of the value of land in the neighbourhood of the Oaks estate, *ib.* 941-946. 962, 963. 984-989——Witness values the house and gardens at 150*l.* a year, *ib.* 962-967.

Details of witness's valuation of the estate; estimated rental of 317*l.* a year, *Cousins* 1005-1022. 1036-1044——Witness values the house and the privilege of shooting at 120*l.* a year, *ib.* 1015. 1036-1044.

Witness was attesting witness to the lease of the premises of the Oaks estate; did not actually see Mr. Glover sign the deed; does not recollect that Miss Toker was present in the house at the Oaks at the time, *Haylett* 1045-1065——Identifies the signature of Miss Toker to the deed, *ib.* 1054-1057——As regards the receipt on the deed for 700*l.* from E. A. Glover, witness did not see the money pass; there was an execution in the house at the time, which was paid out, *ib.* 1066-1080——Witness identifies the handwriting of Miss Margaret Grace Toker, and also his own handwriting in the signatures to a certain deed, *Captain J. B. Toker* 1081-1083.

Ommaney, Francis. (Analysis of his Evidence.)—Solicitor in Basinghall-street, 104——Produces the deed of mortgage of the Oaks property in Kent, dated 13th July 1849; 105, 106——Names of the mortgagees and periods for which they have been in possession, 109-114. 119, 120——The aggregate rents of the property are 140*l.* a-year, and the interest on the mortgage-money 125*l.* a-year, 115-118. 139, 140.

Circumstance of witness having been at one time connected with Mr. J. B. Toker in a speculation in which the latter lost several thousand pounds; at the present time witness owes Captain Toker some money, 121-138——Explanation relative to a paper showing how the rents are accounted for, and the interest paid over to the mortgagees, 141-148——Total amount of the mortgage on the Oaks, 149. 208-215——Impression that when Miss Toker bought the Oaks the purchase-money was 6,500*l.*; 150-155. 210-213.

Reference to a recent communication between witness and Mr. Holmes and his solicitors; witness was not offered a transfer of the mortgage money on the Oaks, 156-164. 216-226——Particulars relative to the Harty estates of Mr. Toker, that is, Buttsmarsh and Brewer's-hill; the total mortgage is 11,600*l.*, upon 2,000*l.* of which interest is not paid, 165-207——Witness, on the part of the mortgagees, has been in possession of the Oaks property for two or three years, Miss Toker remaining as a tenant of part of it, 186-188. 227-230——Age of Mr. Toker, 201-203.

Ommaney, Mr. Circumstance of witness having been at one time connected with Mr. J. B. Toker in a speculation, in which the latter lost several thousand pounds; at the present time witness owes Captain Toker some money, *Ommaney* 121-138.

Mr. Ommaney is a debtor of witness, *Captain J. B. Toker* 1084, 1085——Witness's speculations with Mr. Ommaney, in which he lost about 10,000*l.*, were the cause of his pecuniary embarrassments, and of the mortgages on his estates, *ib.* 1089, 1090. 1097-1100.

P.

Padgett, William. (Analysis of his Evidence.)—Painter at Beverley, 1486, 1487——Has always supported the Conservative party, and did not intend to vote at the last election, 1488-1491——Voted for Mr. Glover in consequence of the anonymous and scurrilous handbill circulated concerning him, 1492-1495. 1501——Did not look upon the bill as any notice of disqualification, 1496, 1497. 1504-1507——Never heard that Mr. Glover's qualification was seriously disputed, until it was mentioned that Mr. Nutchey had demanded his qualification on the nomination or polling day, 1498. 1508-1516——Did not see any breach of the peace at the election, 1499, 1500.

Report, 1857—*continued.*

Placards. See *Handbills* (*Mr. P. C. Toker*).

Poll Books. Witness produces the poll-books, *Naylor* 5.

Popular Candidate. How far Mr. Glover was the popular candidate, *Brereton* 386, 387. 422–424——Great sympathy was felt by the people for Mr. Glover, *Almack* 1309, 1310——Mr. Glover was the popular candidate, *Findlater* 1557.

Q.

Qualification (or Disqualification) of Mr. Glover. Previously to, and during the last election, it was generally known that Mr. Glover had taken the benefit of the Insolvent Act in Ireland, and that he was not qualified as a candidate in respect of any property in his possession; the matter of his disqualification was talked of generally, *Brereton* 375–377. 392–400. 426–428; *Crosskill* 436–451. 468–471; *Nutchey* 477–484. 493, 494. 508, 509. 519–524; *Westerby* 579–586. 605; *Denton* 873–875. 884–886——Previously to the day of polling it was notorious that the qualification of Mr. Glover was disputed, *Thorney* 723–726; *Hind* 731–754. 768; *Boyes* 841–843——Witness had himself spoken to several electors about Mr. Glover not being qualified; reason for his so concluding, *Denton* 886–907.

Examination to the effect that when in August 1854, witness and his sister signed the deed giving Mr. Glover a rentcharge of 325 *l.* a year, witness had parted with almost the whole of his property, *Captain J. B. Toker* 1135–1159. 1173–1192——The object of giving Mr. Glover the rentcharge was to qualify him to become a Member of Parliament, *ib.* 1143–1146. 1175–1186.

Mr. Glover's qualification was by no means a topic of general conversation, *M. Clark* 1217–1221. 1242–1289; *Findlater* 1541–1546; *Barkworth* 1797–1801. 1810–1816; *Arden* 1856–1859——Witness did not join in any discussions about Mr. Glover's qualification which he was assured by his proposer was all right, nor did witness have any idea that in voting for Mr. Glover he was throwing his vote away, *Almack* 1303–1305. 1313–1343——Witness never heard of any elector having been told that his vote for Mr. Glover would be useless, *ib.* 1343.

After Mr. Glover's qualification had been demanded on the nomination day, witness had a conversation with him on the subject, and felt perfectly satisfied from what Mr. Glover stated that he was duly qualified, *Fox* 1346–1354. 1365–1386——Nature of the statements of Mr. Glover to witness in regard to his qualification, *ib.* 1365–1372——Witness had not received any notice that Mr. Glover was not qualified, and in voting for him fully believed that he was qualified, *Taylor* 1402–1404. 1411 *et seq.*——Reference to meetings at the Beverley Arms and the White Horse, at which Mr. Glover made statements about his qualification which were satisfactory to witness and those present, *ib.* 1412–1485——Witness never heard that Mr. Glover's qualification was seriously disputed until it was mentioned that Mr. Nutchey had demanded his qualification on the nomination or polling day, *Padgett* 1498. 1508–1516.

Witness attended a meeting at the White Horse, at which there were a good many people present, and was satisfied by the explanation then given by Mr. Glover in regard to his qualification, *Findlater* 1539, 1540. 1543, 1544. 1547–1556; *Silvester* 1581–1587. 1649–1667; *Bainton* 1697–1700. 1739–1743. 1756–1777——There were about 100 or 120 persons at the meeting at the White Horse, *Findlater* 1547–1550; *Silvester* 1658–1660——Witness had no doubt of his qualification, he having asserted it himself, *Silvester* 1619, 1620.

Before receiving the handbill, witness did not hear Mr. Glover's qualification questioned, *Bainton* 1781, 1782——After the nomination Mr. Glover gave further explanation as to his qualification, which quite satisfied witness, *ib.* 1705–1711——Satisfactory explanation given by Mr. Glover, at the Beverley Arms, relative to his qualification, *Barkworth* 1791–1796. 1817–1831——Witness was satisfied from Mr. Glover's explanation, and from his declaration before Mr. Wylie, that he was duly qualified, *Arden* 1850–1855. 1878–1881——Until the circulation of the anonymous handbill, the qualification of Mr. Glover was not questioned, *Wreghitt* 1915, 1916——The charges in the handbill had to some extent become topics of conversation, *ib.* 1952–1957.

Further statement that the fact of Mr. Glover's qualification having been questioned, was notorious to the electors, *Brereton* 2007–2011. 2026–2030.

Resolution of the committee that Mr. Glover was not duly qualified to be elected, *Rep. p.* iii.

See also *Boyes, Mr.* *Curaghclonbro Estate* (*Ireland*). *Declaration of Qualification.* *Demand of Qualification.* *Handbills* (*Mr. P. C. Toker*). *Harty Estate* (*Kent*). *Insolvency of Mr. Glover.* *Martin, Mr.* *Notices of Disqualification.* *Oaks Estate* (*Kent*).

S.

Service of Writ. On the day before the election witness went to Beverley to serve Mr. Glover with a writ for 45*l.*, *Thorney* 630–639.

Silvester, Henry. (Analysis of his Evidence.)—Solicitor at Beverley; has been twice mayor, 1558–1560——Supported Mr. Glover at the election of 1852; 1561——Did not take any part in the late election, until just before the nomination, 1562–1565——On the day before the nomination received by post from London an anonymous handbill reflecting on Mr. Glover, which he looked upon as a very disgraceful production, 1566–1571. 1574——There were not many of these handbills received by electors, and there were none publicly in the streets, 1572, 1573. 1679–1684.

Reference to a note by Mr. Richard Martin, barrister, asking for a meeting with Mr. Glover, and stating that he could prove he was not a proper person to represent Beverley in Parliament; this note was handed to witness on the nomination day by Mr. Thorney, solicitor, of Hull, 1575–1577——Witness subsequently read Mr. Martin's note in Mr. Glover's presence, at a meeting at the White Horse; he wished Mr. Glover to give a meeting to Mr. Martin, but it was stated that he was in the hands of his committee, and would meet him on the hustings, 1578–1580. 1588–1590.

Statement made by Mr. Glover, at the meeting at the White Horse, relative to his qualification; he denied almost everything in the handbill, 1581–1587. 1649–1667——Reference to Mr. Glover's statement about his insolvency in Ireland; he said he had paid off all his debts except one for 1,000*l.* which had been kept open in order to give him a *locus standi* before the Incumbered Estates Court, 1582–1586. 1649–1665——Reference to a bill signed by witness and some others relative to the statement of Mr. Martin, 1591, 1592. 1634, 1635——Mr. Martin disclaimed any connexion with the anonymous handbill; he made some charge about Mr. Glover borrowing money from him under false pretences, 1593–1595.

Particulars of a meeting between witness and Mr. Philip Champion Toker, Mr. Thorney, and others relative to the handbill; absence of proper proof in support of the allegations therein, 1596–1612. 1623. 1685–1689——At the nomination witness heard something about Mr. Glover's qualification being demanded, 1613–1616——There was no public notice as to Mr. Glover's disqualification, 1617, 1618——Witness had no doubt of his qualification, he having asserted it himself, 1619, 1620.

There was no violence at the election, 1621, 1622——Statement as to the crowd having displayed an adverse feeling towards Mr. Toker when in witness's house, and as to Mr. Toker having left the house by a back way, 1624–1633. 1670–1678——Mr. Hodson and Mr. Crosskill, supporters of Mr. Wells, assured witness that Mr. Wells had nothing to do with the handbill, 1636, 1637——Witness was not agent for Mr. Glover in 1852, but received a fee for some services at that election, 1639–1643——He did not vote for Mr. Glover at the last election, because of his not meeting Mr. Martin, 1644–1648.

State of the Poll. Circumstance of a statement having been put out on the polling day, placing Mr. Wells ahead of Mr. Glover; explanation hereon, *Hind* 804–823.

T.

Taylor, Robert Child. (Analysis of his Evidence.)—Currier at Beverley, 1394–1396——Voted for Denison and Glover; had intended to vote for Mr. Wells, but was induced to vote for Mr. Glover by the scandalous handbill circulated concerning him, 1397–1401——Had not received any notice that Mr. Glover was not qualified, and in voting for him fully believed that he was qualified, 1402–1404. 1411 *et seq.*——The election was very quiet, and notices of disqualification might easily have been posted about, 1405–1409——Reference to meetings at the Beverley Arms and the White Horse, at which Mr. Glover made statements about his qualification, which were satisfactory to witness and those present, 1412–1485.

Thorney, Joseph. (Analysis of his Evidence.)—Coroner for Kingston-upon-Hull; is a solicitor, 629——On the day before the election witness went to Beverley to serve Mr. Glover with a writ for 45*l.*; 630–639——Witness heard Mr. Philip Toker avow himself the author of the handbills which had been circulated in Beverley, and heard him state that Mr. Glover had no qualification; this was done in the presence of different electors at different places, 640–665. 682–687.

Circumstance of witness having conferred with Mr. Clark, Mr. Denison's agent, as to the expediency of serving each voter with notice of Mr. Glover's non-qualification; they decided upon not doing so on account of the excitement, 666–681. 687–703——Inexpediency, on account of the excitement, of attempting to post notices of the disqualification on the side of the polling-booths, 699–722——Previously to the day of polling it was notorious that the qualification of Mr. Glover was disputed, 723–726.

Report, 1857—*continued.*

Toker, Captain John Buck. (Analysis of his Evidence.)—Identifies the handwriting of Miss Margaret Grace Toker, and also his own handwriting, in the signatures to a certain deed, 1081–1083——Mr. Ommaney, the solicitor, is a debtor of witness, 1084, 1085—— It is utterly untrue that Mr. Glover has ruined witness; he has, on the contrary, been to him the best and truest friend he ever had, 1086–1088——Witness's speculations with Mr. Ommaney, in which he lost about 10,000 *l.*, were the cause of his pecuniary embarrassments and of the mortgages on the Harty estate, 1089, 1090. 1097–1100——The bankruptcy of witness, through the instrumentality of Mr. Glover, about a year ago, was a friendly bankruptcy, 1091–1096. 1160, 1161.

Estimate of from 35*s.* to 40*s.* an acre as the value of the Harty property, 1100, 1101 ——Reason why the property is now let at only 25*s.* an acre, 1103–1110. 1193–1200 ——Periods at which witness raised the mortgages on the property, and at which the mortgagees came into possession, 1111–1134——Examination to the effect that when, in August 1854, witness and his sister signed the deed giving Mr. Glover a rentcharge of 325 *l.* a year, witness had parted with almost the whole of his property, 1135–1159. 1173–1192——The object of giving Mr. Glover the rentcharge was to qualify him to become a Member of Parliament, 1143–1146. 1175–1186——Probable amount to which witness is indebted to Mr. Glover for different services, 1160–1172. 1187.

See also *Curaghclonbro Estate* (*Ireland*). *Harty Estate* (*Kent*). *Marriage Settlement Deeds.* *Oaks Estate* (*Kent*).

Toker, Philip Campion. (Analysis of his Evidence.)—Partner in the firm of Toker and Gregory, proctors, of Doctors Commons; is nephew of Miss Grace M. Toker, 231–234 ——Mr. Toker, who married Miss De Burgh, is witness's uncle, 235–237——In 1855, witness first communicated with Mr. Shepherd, of Beverley, as to Mr. Glover having taken the benefit of the Insolvent Act, in Ireland; this was with reference to Mr. Glover having stood for Beverley in 1852; 238–247.

On hearing that Mr. Glover was coming forward for Beverley at the last election, witness wrote to Colonel Hutton, of that place, on the subject, and subsequently had a letter from Mr. Burton, asking him to state all he knew about Mr. Glover, 248–252—— In consequence of Mr. Burton's letter, witness sent from seventy to eighty handbills to electors at Beverley relative to Mr. Glover's character, 253–263. 329–334—— Particulars as to witness having gone to Beverley in order to verify the statements in the handbills or placards, and to admit that he was the author of them; steps taken by him at Beverley for this purpose, 264–292. 302. 357–363.

Communication between witness and Mr. Silvester, Mr. Glover's agent at Beverley, relative to the handbills, 281–292——Serious attack made upon witness by the mob at Beverley, 293–301——Although witness announced himself as the author of the handbills, no proceedings whatever have been taken against him by Mr. Glover, 302–308. 354–358——Naturally adverse feeling entertained by witness towards Mr. Glover on account of his ill-treatment of members of witness's family, 309–311——Explanation as to witness's name or the name of the printer not having been attached in the first instance to the handbills in question, 312–353.

[Second Examination.]—Circumstance of a summons having been left at witness's residence last evening, relative to the handbill reflecting on Mr. Glover, 525–529 ——Witness has taken no part in inciting one Ann George to prosecute Mr. Glover, 530–532.

The Oaks estate was once witness's property; he sold it to his aunt, Miss Grace Toker, either for 7,250 *l.* or 8,250 *l.*; 533–536——Particulars relative to the character and annual value of this estate, 537–553——As regards the Harty or Brewers-hill estate, Mr. John B. Toker owns about 370 acres of it; doubt as to its value per acre 554–561.

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Tucker, Charles. (Analysis of his Evidence.)—As clerk to Mr. Bathurst's brother, was one of the attesting witnesses to the deed executed by Miss Grace Toker in November 1853; 101–103.

Turner, William Rawson. (Analysis of his Evidence.)—Is a solicitor, 38——Prepared the marriage settlement between Mr. and Mrs. John Buck Toker, 39——Received written instructions from Mr. and Mrs. Toker, and Mr. Glover; produces these instructions, and a copy of the deed, 40–50——Examined the copy produced with the original, and vouches for their identity, 44, 45. 57–62——Reads portions of the deed of settlement, vesting the lands of Curaghclonbro in Edward Auchmuty Glover and William Downing Bruce, in trust for Anna De Burgh (Mrs. Toker), 51–54——Gave notice to the tenants of Curaghclonbro to pay their rent to the trustees; did so by the instructions of Mr. Bruce, 55, 56. 63–65.

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W.

Watts, Captain. On the day before the nomination, witness sent a messenger to Captain Watts's house to see if Mr. Glover was there, but never applied to Captain Watts in any way to come forward in Mr. Glover's place, *Wreghitt* 1995–1998. 2003–2006.

Wells, Mr. The qualification of Mr. Wells, as well as of Mr. Glover, was demanded on the nomination day, *Westerby* 626; *Almack* 1337, 1338——Circumstances of the committee of Denison and Wells having issued a statement disavowing any part in the anonymous handbill, *Boyes* 844–846. 863–865——Mr. Hodson and Mr. Crosskill, supporters of Mr. Wells, assured witness that Mr. Wells had nothing to do with the handbill, *Silvester* 1636, 1637——Explanation as to Mr. Wells's qualification having been demanded, *Bainton* 1717–1719——The party of Mr. Wells had an efficient legal adviser if they chose to question the qualification of Mr. Glover, *Wreghitt* 1919–1925.

Westerby, John. (Analysis of his Evidence.)—Is collector of the borough market toll at Beverley; is well acquainted with most of the electors, 571–577. 619–625——At the time of the last election the question of Mr. Glover's qualification was a matter of common talk among the electors, 579–586, 605——Circumstance of Mr. Glover having left Beverley for a time on the day when the handbills about his qualification, &c., came from London, 587–592——Statement as to Mr. Glover having returned to the hustings after he had received the demand of qualification, and addressed the people on the subject, 593–604. 627, 628——Excited state of the town on the nomination day and the polling day, 606–618——Danger if it had been attempted to serve each of Mr. Glover's voters with a notice, 609, 610——Witness heard that Mr. Wells's qualification was also disputed, 626.

Wreghitt, William. (Analysis of his Evidence.)—Was chairman of Mr. Glover's committee, 1908, 1909——Did not receive any communication from Mr. Toker relative to the anonymous handbill, 1910–1912——Mr. Glover was introduced by Colonel Hatton to the constituency of Beverley in 1852, and was represented as a man of respectability and property, 1913, 1914——Until the circulation of the anonymous handbill the qualification of Mr. Glover was never questioned, 1915, 1916——Witness considers the insinuations in the handbill as the production of a malicious and vile person, 1917, 1918——The party of Mr. Wells had efficient legal advisers by whom to be guided if they chose to question the qualification of Mr. Glover, 1919–1925.

Witness is in politics a Liberal Conservative, 1927, 1928——In consequence of the handbill a meeting of Mr. Glover's committee was convened at the White Horse, when Mr. Glover gave some explanations about his insolvency, and assured the meeting he was qualified, 1929–1947. 1990–1994——Handbill circulated by Mr. Glover's committee subsequently to his statement, 1948–1953. 1957.

The charges in the handbill had to some extent become topics of conversation in the town, 1952–1957——Explanation as to Mr. Glover having left the town for a few hours on the day before the nomination, 1958–1969——In consequence of a rumour that Mr. Glover had gone away, Mr. Silvester said something about having another candidate 1968–1989——Witness sent a messenger to Captain Watts's to see if Mr. Glover was there, but never applied to him in any way to come forward in Mr. Glover's place, 1995–1998. 2003–2006.

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TO

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BEVERLEY BOROUGH ELECTION PETITION.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
5 *August* 1857.

243—I.—Sess. 2.

Under 3 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BURY ST. EDMUND'S BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
7 *August* 1857.

Martis, 7° die Julii, 1857.

NAMES of Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Bury St. Edmunds:

Charles Bowyer Adderley, Esq.	Alexander Murray Dunlop, Esq.
Honourable George Byng.	James Banks Stanhope, Esq.

Chairman, GATHORNE HARDY, Esq.

Mercurii, 8° die Julii, 1857.

Ordered, That the Petition relative to the said Election be referred to the said Committee.

Ordered, That the said Committee do meet To-morrow, in one of the Committee Rooms of the House, at the hour of Eleven of the clock in the forenoon.

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REPORT.

BURY ST. EDMUND'S BOROUGH ELECTION COMMITTEE.

Martis, 14° *die Julii*, 1857.

THE HOUSE informed, that the Committee had determined,—

That Joseph Alfred Hardcastle, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Bury St. Edmund's.

The House further informed, that the Committee had agreed to the following Resolutions:—

That James William Clark undertook, through Edward Brabrook, the brother of one Joseph Brabrook, to pay the sum of 15*l.* to the said Joseph Brabrook, which sum was alleged to have been promised to the said Joseph Brabrook for his vote at a former Election:

That the said James William Clark is proved to have supplied a person named Henry James with small sums of money, to be spent at beer shops and public-houses, with the view of influencing the votes of the keepers of those houses:

That a Voter named William Clark was detained by William Scates and Henry James in a drunken state, and supplied with food and drink at a public-house during the night previous to the polling day, and taken up in a drunken state to poll by the said William Scates and Henry James; but it was not clearly shown to the Committee at whose expense the said food and drink was supplied:

That the evidence generally was most unsatisfactory, and disclosed venality among many electors, though there was no evidence to show that any bribes were given to them, or promises made, except in the case above specified:

That the said James William Clark was proved to have taken an active part on behalf of the Sitting Member, and was not called before the Committee as a witness, to rebut the evidence given respecting him; but the Committee were not entirely satisfied that he had such authority as to call upon them to make the Sitting Member responsible for his acts.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 9° die Julii, 1857.

NAMES of the Members called over;—All present.

Room cleared, and Committee deliberated.

The Committee agreed to the following Resolutions:—

" 1. That Counsel will not be allowed to go into matters not referred to in their opening statement without a special application to the Committee for permission to do so.

" 2. That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

" 3. That the Committee expect that with respect to cases of bribery, of offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his Agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of persons who actually gave the bribes, or offered to do so.

" 4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any Principal or Agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

" 5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

" 6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

" 7. The Committee, however, reserve to themselves a discretionary power, as in the cases of bribery.

" 8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the Agents, whose names shall be handed in, without the special leave of the Committee.

" 9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on summing up.

" 10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

" 11. That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent."

Parties called in, and informed of the above Resolutions.

The shorthand writer was sworn by the Chairman.

Petition of *James Henry Porteus Oakes*, complaining of an undue election and return of Joseph Alfred Hardcastle for the borough of Bury St. Edmunds, read.

Counsel for the Petitioner, Mr. *Edwin James*, Q. C., Mr. *Rodwell*, Mr. *Quain*.

Agents, Messrs. *Dyson & Co.*, Mr. *Ion*.

Counsel for the Sitting Member, Mr. Hardcastle, Mr. *Hawkins*, Mr. *Tindal Atkinson*.

Agents, Mr. *Coppock*, Mr. *Collins*, Mr. *Last*.

Mr. *James* was heard to open the case on the part of the Petitioner.

J. R. Naylor, from the office of Clerk of the Crown, sworn, examined by Mr. *Quain*; produced writ and return, and handed in three poll books of the last election.

William

William Salmon, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Hawkins*; re-examined by Mr. *James*.

Henry James, sworn, examined by Mr. *James*.

On the question being asked by Mr. *James*, "Do you remember his saying anything about these beer-house keepers, if they were not paid, using any expression?"

Mr. *Hawkins* objected to the question.

Mr. *James* was heard in answer.

Mr. *Hawkins* was heard in reply.

The Committee decided that the question might be put.

Henry James further examined by Mr. *James*; cross-examined by Mr. *Hawkins*; re-examined by Mr. *James*.

William Clark, sworn, examined by Mr. *James*; cross-examined by Mr. *Hawkins*; re-examined by Mr. *James*.

Sophia Belman, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Hawkins*.

William Belman, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Hawkins*; re-examined by Mr. *Rodwell*.

[Adjourned till To-morrow at Eleven o'clock.

Veneris, 10° *die Julii*, 1857.

Names called over;—Members all present.

Henry Smith, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*.

William Belman, sworn, examined by the *Committee*.

Frederick Baxter, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*.

Edward Brabrook, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Quain*.

Joseph Brabrook, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Quain*.

Susan Robinson, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Quain*.

John Robinson, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Quain*.

James Porter, sworn, examined by Mr. *James*; cross-examined by Mr. *Atkinson*.

Frances Pawsey, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Rodwell*.

Robert Pawsey, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*.

William Clark, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Rodwell*.

John Feakes, sworn.

Mr. *Rodwell* applied to the Committee that Mrs. *Pawsey* might be recalled.

Frances Pawsey, further examined by the *Committee*.

John Feakes, examined by Mr. *Rodwell*.

Frances Pawsey, further examined by the *Committee*.

Noel Stebbing, sworn, examined by Mr. *Quain*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Quain*.

William Armstrong, sworn, examined by the *Committee*.

Robert Pawsey, further cross-examined by Mr. *Atkinson*.

[Adjourned till To-morrow, at Eleven.

Sabbati, 11° *die Julii*, 1857.

NAMES called over;—Members all present.

Frances Cullum, sworn, and examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Rodwell*.

Helen Cullum, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*; re-examined by Mr. Rodwell.

Charles Catton, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Rodwell*.

William Armstrong, sworn, examined by Mr. *Rodwell*.

Robert Turner, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*.

Charles Merry, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *Rodwell*.

Henry Partridge, sworn, examined by Mr. *Rodwell*; cross-examined by Mr. *Atkinson*.

Benjamin Whitehead, sworn, examined by Mr. *James*; cross-examined by Mr. *Atkinson*.

James Hill, sworn, examined by Mr. *James*; cross-examined by Mr. *Atkinson*.

John Clark, sworn, examined by Mr. *James*; cross-examined by Mr. *Atkinson*; re-examined by Mr. *James*.

Mr. *James* stated that he had now closed the case on behalf of the Petitioner.

[Adjourned till Monday, at 11.30.

Lunæ, 13° *die Julii*, 1857.

Names called over;—Members all present.

Shorthand writer was sworn by the Chairman.

Mr. *Hawkins* stated that he would proceed to call his Witnesses on behalf of the Sitting Member.

Samuel Wilson, sworn, examined by Mr. *Hawkins*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Hawkins*.

John Stuch Barnes, sworn, examined by Mr. *Atkinson*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Hawkins*.

Joseph Alfred Hardcastle, the Sitting Member, sworn, examined by Mr. *Hawkins*; cross-examined by Mr. *Quain*; re-examined by Mr. *Hawkins*.

Henry Le Grice, sworn, examined by Mr. *Atkinson*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Hawkins*.

Thomas Collins, sworn, examined by Mr. *Hawkins*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Hawkins*.

Mr. *Hawkins* stated that he had now closed the case on behalf of the Sitting Member, and proceeded to sum up the case on behalf thereof.

[Adjourned till To-morrow, at Twelve o'clock.

Martis, 14° *die Julii*, 1857.

NAMES called over;—Members all present.

Mr. *James* was heard in reply.

Room cleared; Committee deliberated.

Resolved, 1. "That Joseph Alfred Hardcastle, Esq. is duly elected a Burgess to serve in this present Parliament for the Borough of Bury St. Edmunds.

Resolved,

Resolved, 2. "That James William Clark undertook through Edward Brabrook, the brother of one Joseph Brabrook, to pay the sum of 15 *l.* to the said Joseph Brabrook, which sum was alleged to have been promised to the said Joseph Brabrook for his vote at a former Election.

Resolved, 3. "That the said James William Clark is proved to have supplied a person named Henry James with small sums of money, to be spent at beershops and public-houses, with the view of influencing the votes of the keepers of those houses.

Resolved, 4. "That a voter named William Clark was detained by William Scates and Henry James in a drunken state and supplied with food and drink at a public-house during the night previous to the polling-day and taken up in a drunken state to poll by the said William Scates and Henry James, but it was not clearly shown to the Committee at whose expense the said food and drink was supplied.

Resolved, 5. "That the evidence generally was most unsatisfactory, and disclosed venality among many electors, though there was no evidence to show that any bribes were given to them or promises made, except in the case above specified.

Resolved, 6. "That the said James William Clark was proved to have taken an active part on behalf of the Sitting Member, and was not called before the Committee to rebut the evidence given respecting him, but the Committee were not entirely satisfied that he had such authority as to call upon them to make the Sitting Member responsible for his acts.

Parties called in, and informed thereof.

Ordered to report the above Resolutions to The House.

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MINUTES OF EVIDENCE.

Jovis, 9° die Julii, 1857.

MEMBERS PRESENT.

Mr. Hardy.	Mr. Dunlop.
Mr. Adderley.	Mr. Stanhope.
Mr. Byng.	

WILLIAM HARDY, Esq., in the Chair.

THE committee-room was cleared. 9 July 1857.

After some time the Counsel and Parties were again called in, and informed that the Committee had come to the usual Resolutions.

The Resolutions were read.

The Petition of *James Henry Porteus Oakes*, praying that the last election of Joseph Alfred Hardcastle, Esq., for the Borough of Bury St. Edmund's may be declared to be null and void, was read.

Mr. *Edwin James*, Mr. *Rodwell*, and Mr. *Quain* appeared as Counsel.

Messrs. *Dyson & Company* and Mr. *Ion* appeared as Agents.

Mr. *Tindal Atkinson* and Mr. *Hawkins* appeared as Counsel for the Sitting Members.

Mr. *Coppock* and Mr. *Collins* and Mr. *Last* appeared as Agents.

The Short-hand Writer was sworn by the *Chairman*.

Mr. *Edwin James* was heard to open the case on behalf of the Petitioner.

John Richard Naylor, Esq., was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

J. R. Naylor, Esq.

1. DO you produce from the Crown Office the poll-books of the last election for Bury St. Edmund's?—Yes (*producing the same*).
2. And the writ and return?—Yes (*producing the same*).

[The Witness was directed to withdraw.

Mr. *William Salmon*, was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

Mr. *W. Salmon*.

3. ARE you the Town Clerk and the Election Auditor for the Borough of Bury St. Edmund's?—Yes, I am.
4. Do you produce the account of the election expenses sent to you by Mr. Leech?—I received two; one is headed "Account current of expenses necessary to be paid in ready money, and paid by Charles Denton Leech, the agent for legal

Mr. *W. Salmon.*

9 July 1857.

expenses of Joseph Alfred Hardcastle, Esq.," delivered to me on the 6th of April. (*The same was delivered in.*)

5. Mr. Leech was Mr. Hardcastle's agent?—He was. I produce another account, received the 25th of June 1857, headed "Schedule of claims upon Joseph Alfred Hardcastle, Esq., in respect of his election as one of the Representatives in Parliament in the Borough of Bury St. Edmund's."

6. Can you tell the Committee in whose handwriting those accounts are?—The first account I believe to be in the handwriting of Robert Mason Last, a clerk of Mr. Le Grice; the second is in the handwriting of Mr. Leech.

Cross-examined by Mr. *Hawkins.*

7. Were you in the polling-booth on the day of election?—I was.

8. Pretty near the whole of the day?—Yes, pretty near the whole of the day.

9. I believe you are acquainted with most of the electors in Bury?—Yes, I think so; I know a great many.

10. Did you notice persons who came up to poll on that day?—I noticed a great many.

11. Did you observe one single person who came to vote for Mr. Hardcastle who was in the least degree intoxicated?—I think so; a great many.

12. Will you name one single man whom you saw come to vote for Mr. Hardcastle who was intoxicated?—I saw William Clark, the tailor, come up.

13. You say he was intoxicated?—Yes, I think so.

14. Will you swear that?—That is my impression.

15. Will you swear he was?—I will swear I believe he was.

16. Will you name anybody else?—I think Porter, a man with a wooden leg; he had been drinking; I will not say he was drunk, and could not walk; he had been drinking, certainly.

17. Can you name anybody else?—I do not know that I can charge my memory with names at this moment. I saw a great many come up from the direction of the Fox, who had the appearance of being intoxicated.

18. I am asking as to those who voted for Mr. Hardcastle; can you name anybody else you say was intoxicated?—I have not been considering the question for a moment; if you name any names to me ——

19. I ask you to name the names to me?—I remember those two very distinctly; and I remember many others coming up, I thought, in a state of intoxication.

20. Did you see a great number of those who voted for Mr. Oakes also in a state of intoxication?—I do not know I can draw any inference; I would say probably on both sides; I will not say I did not; I cannot for a moment pretend to say that.

21. Did you take any part in the election?—No.

22. Did not you canvass for Mr. Oakes?—I did not; if you mean by "canvass," canvassing with him.

23. Did you not canvass for Mr. Oakes?—Will you describe what you mean.

24. Did you ask persons to vote for him?—Yes, one or two.

25. A person named Watson?—I did.

26. Are you Watson's landlord?—No, I am the deputy; the agent for the East of England Bank. The owner of the house, Watson's, told me he had promised to vote for Hardcastle.

27. Was Watson in arrear of rent?—I think he owed some rent.

28. Did not you know he was?—I am not sure whether the rent was not due on the 6th of April; I know he is in arrear now. I think by that the year's rent is just overdue. I have got a great many tenants much more in arrear than Watson; he always pays very late in the year.

29. Was not he at that time in arrears for rent?—I cannot charge my memory whether the year's rent was due at April or not; I am not quite sure whether he owed a year's rent or not.

30. Did he tell you he had promised to vote for Mr. Hardcastle?—Yes; I asked him to give the other vote for Mr. Oakes.

31. Did you express your surprise at that, and say Mr. Hardcastle was not a friend to him, and you were?—No.

32. Will

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32. Will you swear you said nothing of the sort?—I do not think I said anything of that particular kind.

33. Will you undertake to say you did not?—I believe I can conscientiously say I did not.

34. Will you, then?—I had some five or ten minutes' talk with him. It is very difficult to say now what I might have said to him.

35. You will not undertake to say you did not say something of that kind; did you, upon hearing that Watson had promised Mr. Hardcastle his vote, express your surprise, as Mr. Hardcastle was not a friend to him, but you were?—I do not believe I did.

36. Will you say you did not?—Yes, I say I believe I did not.

37. Will you say you did not?—I say I believe I did not; I will not say more. I never asked him for a moment to withhold his vote from Mr. Hardcastle. I said, "You have a second vote, will you give your second vote to Mr. Oakes."

Re-examined by Mr. *James.*

38. You have been in practice at Bury for many years as a solicitor?—Seventeen or eighteen years.

39. You say you observed that a man named Clark, the tailor, was intoxicated; do you remember whether he polled early?—My impression was, that he polled early; I will not undertake to swear the precise time.

40. You observed him?—Yes.

41. Did you observe who brought him to the poll?—I cannot charge my memory.

42. Was it a polling-booth, or did they poll at the Town Hall?—It was a booth built for the purpose.

Mr. *James* stated that Clark was the second man who polled.

43. "William Clark, tailor, Wells-street," is that the man?—Yes.

44. "Plumper for Hardcastle"?—That is the man.

45. Is the Fox near the booth?—I should think it is about 200 yards away.

46. Do you know whether the Fox is kept by Burrows?—Yes.

47. What is his name?—Robert Burrows.

Mr. *Hawkins* objected to the examination, as not arising out of his cross-examination.

48. Mr. *James.*] Did you observe whether those whom you noticed as coming from the direction of the Fox voted for Mr. Hardcastle?—I saw a number coming up at one time, and I think the whole of that number, as far as my recollection goes, polled for Mr. Hardcastle.

49. Coming from the direction of the Fox?—Coming from the direction of the Fox.

50. Do you know Burrows?—Very well.

51. Was he with them?—Yes.

52. Were they all in one party?—Burrows was present upon the polling of a great number of votes.

53. Did they poll early or not?—I think not very early; I think if I am right, not before 11 or 12 o'clock.

[The Witness was directed to withdraw.

Henry James, was called in, and having been sworn, was Examined by Mr. *James,* as follows:

Henry James.

54. DID you reside, at the time of the election, at Westgate, Bury St. Edmund's?—Yes.

55. What were you; were you in any business there?—A shoemaker in business for myself.

56. Are you now living in Colchester?—Yes.

57. And carry on your trade of a shoemaker?—Yes.

58. When did you leave Bury St. Edmund's?—I left about a fortnight after the election.

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59. Do you remember the election at Bury St. Edmund's?—Yes.

60. At the end of the week, or beginning, the 9th of March, before the election; do you remember meeting Mr. Hardcastle, and Mr. Le Grice, and Mr. Collins together?—Yes.

61. About what time was that?—About the 12th of March.

62. Are you politician enough to know that the election was expected?—Yes.

63. You met Mr. Collins, and Mr. Hardcastle, and Mr. Le Grice?—Yes.

64. Mr. Collins is the registrar of the County Court, and an attorney?—Yes.

65. Mr. Hardcastle; we all know the Sitting Member; Mr. Le Grice, what is he?—An attorney.

66. At Bury St. Edmund's?—Yes.

67. When you met them, what were they doing?—Mr. Hardcastle was canvassing Mr. Ellis, the pork-butcher, for his vote.

68. All three together?—All three together. Mr. Hardcastle was canvassing Ellis, the pork-butcher, for his vote.

69. Does Ellis live in Brent Grovehill-street, in Bury?—Yes.

70. Did you go up to Mr. Collins and speak to him?—Yes.

71. What did you say to Mr. Collins?—I asked him if he would employ me as messenger, when the election came on, and he said "Yes."

72. Do you know James William Clark?—Yes.

73. Did you see him shortly after?—Yes, directly after.

74. Did you tell James William Clark what Mr. Collins had said to you?—Yes, and he put my name down in a book.

75. Did he take out a book and put your name down?—Yes.

76. On the Saturday after that, I believe you were taken ill, and confined to your house to the following Thursday; is that so?—Yes.

77. On the Thursday, you were enabled to go about?—Yes.

78. Did you see on that Thursday James William Clark?—Yes.

79. What is he; we have not got his description?—He is called hall-keeper in Bury.

80. Where does he live?—He lives on the premises.

81. Does he look after the Guildhall; the Town-hall?—Yes.

82. Did Clark give you any money?—Yes.

83. On that Thursday?—Yes.

84. How much money did he give you?—He gave me 5 *s.*

85. What did he tell you to do with it?—To go down to the Cross Keys, to a person named Last, a voter, who keeps the house.

86. What were you to do there?—To take two or three with me, and to divide the money into small parts, and make a little company on purpose to get that man's vote.

87. Did he tell you that?—Yes.

88. Were you to make any report anywhere as to what you had done?—He told me to see him every morning, and to report progress.

89. To whom?—To J. W. Clark, at the Guildhall.

90. Did you take the persons and spend the money?—Yes.

91. Who did you take to the Cross Keys, to the voter's?—I did not take any voters.

92. To the voter's; to Last?—I took a man of the name of Skates, and several other people went. I cannot call all their names to memory.

93. You took several down there?—Several.

94. What did you spend?—I spent to the amount of 8 *s.*

95. Did you say anything about the vote to him?—Yes; he drank with us.

96. What did he say?—I asked him if he would vote for Mr. Hardcastle? He said "Yes," he would vote for Hardcastle.

97. That money was spent there; was it spent at one sitting?—Yes.

98. How many men were with yourself and drank out of that money?—There was a little company when we got down there. There was about five or six went down with me, and there was a little company in the house when we got there.

99. That money was spent in drink?—Yes.

100. Do you remember on the Friday, in the week before the election, seeing Clark again on the Market-hill?—Yes.

101. The

101. The same person, James William Clark?—Yes.

102. Is there a voter of the name of Feake?—Yes.

103. Or is it Feakes?—Feake.

104. Does he keep a beer-shop?—Yes.

105. Has it any sign, that beer-shop?—Yes.

106. What is it?—The sign is altered now; it used to be the Marquis; it is now called the Bricklayers' Arms.

107. Was it at the time of the election?—At the time of the election.

108. Where is it?—Situated near the outskirts of Bury.

109. Did Clark tell you to do anythink about Feake?—Yes.

110. Tell the Committee what it was?—He wanted me to go to Feake's that night.

111. What to do?—To take some money and spend, to get a little company, the same as I had before.

112. To spend the money at Feake's?—Yes.

113. Did you say anything to him about the money?—Yes.

114. What did you say?—I told him I thought he did not give me sufficient money to do any good with. I had spent 3 *s.* out of my own pocket, and I could not afford it.

115. Where did you mean you had spent that 3 *s.*?—At the Cross Keys.

116. At Last's?—Yes.

117. What did Clark say to you when you told him you had spent 3 *s.*; you mean in addition to the 5 *s.*—Yes.

118. What did Clark say to you when you told him you had spent 3 *s.* in addition to the 5 *s.*?—He told me to come over the road with him, into Clark's, the bootmaker.

119. There is another Clark, a bootmaker, is there?—Yes.

120. Well?—He put his hand in his pocket, and gave me 8 *s.*

121. Who did?—J. W. Clark.

122. Did he go into Clark's, the bootmaker's?—Yes.

123. After you came out of Clark's, the bootmaker's, did he, William Clark, give you any money?—It was in the shop he gave me the money.

124. He gave you 8 *s.*?—Yes.

125. Did Clark, the bootmaker, say anything in Clark's presence when he gave you the money?—He said, "What, you are committing bribery;" or, "Begin bribery already."

126. Having got this 8 *s.*, did you go to Feake's beer-shop that night?—Yes.

127. That, I think, you stated was the Friday week before the election?—Yes.

128. What money did you spend at Feake's beer-shop?—I put my own 3 *s.* in my pocket, and divided the 5 *s.*, as I had before, among a few.

129. You put 3 *s.* into your pocket?—Yes.

130. What did you do with the 5 *s.*?—I divided it amongst the rest, the same as the night before. The 5 *s.* was spent.

131. Was the money spent in drink?—Yes, the money was spent in drink; the landlord drank with us.

132. How many had you there?—Six or seven.

133. Did you say anything to Feakes about his vote?—Yes. I asked him if he would give his vote for Mr. Hardcastle. In fact, we were sent there on purpose to get their votes; and he said, "Yes."

134. Had you known Feakes before?—Yes.

135. How had he voted at the former elections?—He voted for Mr. Oakes previous to the election; before that for Mr. Stuart.

136. Did you see him vote?—I did not see him vote at this election, but I did the last.

137. Did you see him vote at Stuart's election?—No.

138. On the following morning, that is, I think, the Saturday morning, did you go to Clark again?—Yes; and reported progress again; that was the order.

139. Did Clark give you any directions about coming to him on the Monday?—Yes.

140. What did he tell you to do?—He told me he was short of cash, and told me to go to Moore, at the Griffin.

141. Did you go on the Monday?—Yes.

 142. And

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142. And had the money on the Monday morning?—Yes.

143. About what time?—I generally used to go about 12.

144. When you went to him on the Monday morning, what passed?—He said he was short of cash, and told me that I was to go to Mr. Moore, at the Griffin; he had got 5 *s.* in hand out of 10 *s.*, and he would give it to me to go down to the Chequers with.

145. Is the Chequers a beer-shop?—No; a public-house.

146. Who keeps that?—A person of the name of Smith.

147. Is Smith a voter that keeps the Chequers?—Yes.

Mr. *Hawkins* stated that Smith's name was not in the list.

148. Mr. *James.*] You went to the Chequers; what you did we will not say a word about?—Yes.

149. On the following morning, the Tuesday morning, did you go to Clark again?—Yes.

150. Did you report progress?—Yes, we reported progress again.

151. You seem to have got on pretty well?—Yes; middling.

152. Just attend to me. Do you remember the election happening, and the nomination, on Friday, the 27th?—Yes.

153. On the Monday, previously to the election to that Friday, did you meet Mr. Hardcastle again, and Mr. Collins, and Mr. Le Grice?—Yes; the Monday or the Tuesday, I do not recollect which; one or the other.

154. What were they doing?—They were out canvassing.

155. Now, do you know a man of the name of John Clark, a tailor?—Yes.

156. Was he a supporter of Mr. Oakes?—Yes.

157. Just tell us the street where he lives?—It is either Crown-street, or whether they call it Chequer's-square, I forget which, I think Crown-street.

158. Is it near the committee-room?—Opposite.

159. Did you tell Mr. Hardcastle, Mr. Collins, or Mr. Le Grice, in the presence of all of them, anything about Bellman and Clark?—Yes.

160. What?—I told them I had seen Clark in and out of Bellman's some time that forenoon.

161. Bellman is a voter?—Yes.

162. You knew John Clark, the tailor, to be a partisan of Mr. Oakes?—Yes.

163. You told them that John Clark, the tailor; you had seen him after Bellman, in and out three or four times?—Yes.

164. As we go along, what is Bellman; he is a voter; what shop does he keep?—He sells sausages and different little things; a small shop.

165. When you said you had seen John Clark, the tailor, in and out after Bellman, did Mr. Collins say anything?—He said, "It is all right." He left me, and went to Bellman directly.

166. He said, "It is all right" did you observe the three, Mr. Hardcastle, Mr. Collins, and Mr. Le Grice, go to Bellman?—Yes.

167. Did you see them enter his shop?—No; they stood and talked outside.

168. Did you see Bellman about his vote?—Yes.

169. Did you say anything to Bellman about his vote?—Yes; he did not know me; he considered I was a voter. He asked me how much I had for my vote the election before.

170. At the election of 1852?—Yes.

171. What did you say?—£. 25.

172. Were you a voter?—No.

173. You had not 25 *l.*; you told Bellman you had?—Yes.

174. What did Bellman say?—He said 20 *l.* was better than a kick of what I must not say, and I shall not vote unless I have it.

175. That Bellman said to you?—Yes.

176. Did you tell James William Clark what Bellman had told you?—Yes.

177. When did you tell James William Clark that?—Previous to my meeting Mr. Hardcastle and Mr. Collins about Bellman; the same day, I believe.

178. On the Wednesday before the nomination, did Clark give you any directions about going to Feake's again?—Yes.

179. That is Feake's beer-shop?—Yes.

180. What directions did he give you on the Wednesday about going to Feake's beer-shop?—He gave me 5 *s.*, and told me to take a few more friends there, and have some drink, and get them to vote for Mr. Hardcastle.

181. Did

181. Did you go there?—Yes.

182. To Feake's?—Yes.

183. In the evening, or the day, or what?—In the evening; always went of an evening.

184. Did you spend the money there?—Yes; and he drank with us; we all drank together.

185. You spent the whole of the money there?—Yes; and set up beside; we had not got any more.

186. Was anything said about his vote?—Yes; he promised faithfully he would vote for Mr. Hardcastle.

187. Did you speak to him?—Yes, asked him for his vote.

188. "John Feake, bricklayer, Field-road;" is that the same man?—Yes.

Mr. *James* stated that he plumped for Mr. Hardcastle.

189. Mr. *James.*] How much money altogether did you spend, given to you by Clark?—Put it altogether, with about 13*s.* 6*d.* I drawed afterwards, as set up, somewhere about 2 *l.*; it might not be so much; somewhere about 2 *l.*

190. At those different places?—At those different places.

191. Do you know a man of the name of Porter, who keeps the British Queen?—Yes.

192. Is that a beer-shop, or a public-house?—A beer-shop.

193. Has he got a wooden leg?—Yes.

194. Has he been a sailor, or what?—I do not know what he has been; I do not think he is big enough for a sailor; he is a little fellow.

195. Do you remember, before the election, meeting Mr. Collins, when anything was said about this man?—Yes.

196. Where did you meet Mr. Collins?—On the Market-hill, to the best of my recollection.

197. Did Mr. Collins say anything to you about this man; just tell the Committee carefully?—Yes.

198. What did he say?—He told me I must go and stir up that timber-legged gentleman, meaning Porter.

199. What did you say to Mr. Collins, when he said "You must go and stir up that timber-legged gentleman"?—I told him I had got no money.

200. Did Mr. Collins make any answer to that?—He said, "That will be all right."

201. Did you stir up the timber-legged gentleman?—Yes, a little.

202. Did you go to him?—Yes, I did.

203. What did you say to him?—He was not at home the first time I went; I stopped, me and another, for some time; he did not come in.

204. Who went with you?—A person of the name of Skates.

205. What is Skates?—He is a tailor.

206. When you got to Porter with Skates, just tell the Committee how you stirred him up; what you did, and what you said?—We had several pots of beer, and I asked him if he would vote for Mr. Hardcastle; I spoke to him in private.

207. Who paid for the beer?—I did.

208. What did you say to him?—I asked him if he would vote for Mr. Hardcastle.

209. Well, what did he say?—He said he owed his brewer 17 *l.* 10*s.* for beer, and he owed a little rent.

210. Which he wanted?—He said he would rather vote for Mr. Hardcastle than anybody else, if he could have that money; he did not care about his rent; he could get over that; he must have the money for his beer.

211. What did you say to him?—I promised him all the money; but I had no authority to do so.

212. Just state what passed?—I promised he should have the money, 17 *l.* 10*s.*

213. You had no authority to say so?—Yes; no authority from anyone to say that.

214. What did he say then, when you promised him the money?—He said he would vote for Mr. Hardcastle.

215. Did you see Mr. Collins again, and speak to him about Porter?—Yes.

216. After you had been to him?—Yes.

217. What did you say, or what did Mr. Collins say to you again about this man?

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man?—I saw him and Mr. Hardcastle together in the committee, in the passage-way of the committee-house.

218. That is the Chequers, we may take it?—No; the committee-house.

219. You saw him in the committee-house; is that in Chequers-square?—Yes.

220. What did you say to Mr. Collins in Mr. Hardcastle's presence, or did he say to you, about this person?—Mr. Collins told me I must look after that timber-legged gentleman again.

221. What did you say to him?—I told him, "Very well."

222. Did he say anything more about him; about what you were to do with him?—I do not recollect.

223. You were to look after him?—Yes.

224. We are still upon this timber-legged man, Porter; on the day before the nomination, did James William Clark say anything to you about going to him?—Yes.

225. What did James William Clark say to you about going to Porter's, at the British Queen?—He told me to go to Mr. Burrows, at the Fox.

226. What were you to do there?—Ask him for some money to get up a party at Porter's.

227. That is the British Queen?—Yes.

228. For what purpose?—A purpose to entice him to vote for Mr. Hardcastle; to get him to vote for Mr. Hardcastle.

229. Did you go down to Burrows?—Yes.

230. What did you say to Burrows?—He took me into a private little room, and I told him Mr. Clark sent me there to give me some money to go and get up a party at the British Queen, which Porter kept.

231. What did Burrows say?—He did not give me any money; he told me to go down and see a man of the name of Richard Bullock.

232. What were you to do with Bullock?—To tell him to get up a party meet him with a party of about 20; he would meet there at eight o'clock.

233. At the British Queen?—Yes.

234. He, Burrows, would be down there about eight o'clock?—Yes.

235. Did you go down?—Yes.

236. Was there any party there?—Yes, there was all 20.

237. Where did you get them?—Bullock had the getting them together; two or three went down with me.

238. What is Bullock's christian name?—Richard.

239. What is he?—He is a labouring man.

240. Now, Mr. Hardcastle you call the Yellow party?—Yes.

241. The Conservative, the Blue?—Yes.

242. What colour was Bullock?—Yellow.

243. And Bullock, you say, got these men?—Yes.

244. Did you find them there when you went down?—Yes.

245. And Bullock?—Yes. A person of the name of Harris, another voter, was there.

246. What was spent there?—To the best of my recollection, about 10*s.* or half a guinea.

247. Was that spent all in drink?—All in drink.

248. How long did you remain there?—I remained there for three hours. I was away a little while one time; but I went back.

249. You say Bullock was a Yellow; had you seen Bullock during the election at the committee door, or house; Richard Bullock; had you seen him doing anything in the election?—No, I do not know how he was engaged.

250. You said you called the house in Chequers-square the "committee house"?—Yes.

251. Were there any placards or bills in the window of that house?—Yes, "Hardcastle's Committee-Room."

252. Whereabouts were those bills or placards?—In the front window, in the front of Chequers-square.

253. Had that been a vacant house, occupied?—Yes, unoccupied.

254. And used for this committee?—Yes.

255. Is there a back entrance out of that committee-room into a lane called Bridle-lane?—Yes.

256. Have you seen, during the election, Mr. Hardcastle there?—Yes.

257. Were

257. Were you ever in the room itself during the election?—Yes; I was very seldom there; I have been in the room during the election.

258. Were you about the committee-room in that house?—Yes, I went when I liked, when I had got business.

259. Did you see Mr. Hardcastle there?—Yes, two or three times.

260. Mr. Le Grice?—Yes, and Mr. Braddock.

261. Mr. Collins?—Yes.

262. Do you know a Mr. Braddock?—Yes, the brewer.

263. Do you know Robert Graves?—Yes.

264. I am speaking of people you saw there?—Yes.

265. What is Graves?—He is a retired tailor.

266. Robert Burrows, the landlord of the Fox?—I saw him there repeatedly.

267. Do you know William Clark?—Yes.

268. Is he a tailor?—Yes; another tailor.

269. Where does he live?—I believe he resides now in a street called Church gate-street.

270. Now?—I do not think he resided there at the election time; Wells-street.

271. Had you yourself observed that he was a man in the habit of drinking a good deal?—Yes; very much.

272. A drunken man?—A great drunkard; a terrible fellow for his drink.

273. On the Friday afternoon, that was the nomination day, you know, did you meet William Clark in the street?—Yes.

274. What state was he in then?—Tipsy, as usual; he was along with Scates.

275. What time in the afternoon did you meet him?—It might be perhaps about three or four o'clock; I cannot say the hour exactly.

276. And Scates, you say, was with him?—Yes.

277. What was Scates doing with him?—He was only in the street taking him towards the Griffin.

278. Did you and Scates take Clark anywhere?—To the Griffin tap.

279. At that time had you any money with you?—No.

280. Having no money, did you leave Clark in care of Scates at the Griffin tap, and go anywhere?—Yes.

281. This was about three or four o'clock?—About three or four; I cannot say to the hour.

282. Where did you go?—To the committee-house; I cannot call it the room, because there was three or four rooms.

283. Whom did you see?—Robert Graves.

284. Where did you meet him?—He was in the committee-rooms; stood at the committee door.

285. Did you say anything when you saw Robert Graves?—Yes.

286. What did you say?—I told him I wanted to speak to one or two of the committee.

287. What did Graves do?—He went into the committee-room and called Mr. Le Grice and Mr. Braddock out.

288. Did they come out?—Yes.

289. Did you go into any room with them?—Into a private room with those three.

290. That is, Le Grice, Braddock, and Graves?—Yes.

291. Tell the Committee what passed when you were in this private room with those three gentlemen?—I asked Mr. Le Grice what was to be done with William Clark, the tailor; he was up at the Griffin tipsy, and if he was not taken care of, the other party would get him away.

292. What was said to you?—Mr. Le Grice said, "I do not know what is to be done, James;" he knew me very well; for one sixpence would turn Mr. Hardcastle out.

293. What did you say; did Mr. Graves say anything?—Mr Graves said to me, "Well, James, you are a non-elector; you know what to do." Then he said, "Go and do as you like."

294. What did you do; tell the Committee?—Went back to them, and ordered anything that I thought proper to come in; drink.

295. Where did you go back to?—To the Griffin tap.

296. Did you find Clark, the voter, there, with Scates?—Yes.

 297. What

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297. What did you do?—Ordered anything. I told Mrs. Norman (that is the landlady), to bring in anything she liked, and let him have all he liked to eat and drink.

298. What did he eat and drink?—Brandy-and-water till he could not see.

299. Did you drink with him?—Yes.

300. And Scates?—Yes.

301. Did you remain all night with him; I did not, but Scates did.

302. What time did you leave him?—He was taken off to bed, as near as I can judge, about ten. He was almost helpless then.

303. Helplessly drunk?—Yes; and Scates took care of him. I left him in his charge.

304. You left him in charge at about ten o'clock?—That was about the time.

305. You should say he was helplessly drunk?—Yes.

306. Did you go back again to the Griffin in the morning?—Yes.

307. What time did you go back?—About half-past seven.

308. Where did you find Clark?—Along with Scates.

309. Whereabouts?—They had just got up.

310. Had they slept together?—So Scates told me; he had been with him all night; he did not say he slept; he said he had been with him all night. He could not get him to bed; he had to lie in his clothes. I dare not tell you what he had done to his clothes.

311. He was with him the night, and at half-past seven, when you went?—Yes.

312. Who took him to the poll?—Me and Scates. He was the first that voted for Mr. Hardcastle; to the best of my recollection he was. We wanted to get rid of him as quick as we could; he stank so.

313. You took him with Scates to the poll?—I did.

314. Was he drunk when he polled?—No; he was better than he was overnight, a good deal. We would not let him have anything to drink before he voted.

315. Did Mrs. Norman make out any bill for the expenses of that night?—Yes.

316. Did she give you that bill?—Yes.

317. Did you see James William Clark at the Guildhall upon it?—Yes.

318. Did you show it him?—Yes.

319. What did you say to him?—I told him there was a bill I had run up, that amounted to 3*l.* 6*s.* 6*d.*, and I wanted the money to pay Mrs. Norman with. I told him how it occurred; he said it was a large bill for the time; and he said, "But never mind, I will see Mrs. Norman about it to-day;" I think he said on that day he saw Mrs. Norman.

320. You do not know that?—No.

321. Was the 3*l.* 6*s.* 6*d.* for that night's entertainment?—Yes, when the bill was made out.

322. What did you have?—I was not there all the time; they had brandy and water, or eating, or what they thought proper.

323. The bill was made out for that amount?—Yes.

324. After you had gone to poll with William Clark, did you go after that down to Feake's house?—Yes, direct.

325. Whom did you see there?—I saw Feake and his brother; they was the only two that was there.

326. Did you pay any money for drink?—Yes.

327. How much?—Not much.

328. How much?—Perhaps a shilling or two.

329. Did you afterwards tell James William Clark, the Town Hall keeper, what you had done at Feake's?—Yes.

330. What did you say to him?—I thought you were talking of the morning of the election; are you not?

331. After the polling of William Clark, you went down to Feake's?—Yes.

332. Did you see James William Clark after you had been to Feake's?—No, do not recollect that I did.

333. Did you take up any voters to the poll?—Yes.

334. Do you know Feake?—Yes, I do.

335. Did

335. Did you take him up?—Yes.

336. Holden?—Yes, he went with us.

337. Did you take up a voter of the name of James Wright?—Yes, he went with us.

338. John Bishop?—Yes, he went with us.

339. Did you see them vote?—Yes.

340. How did they vote?—All for Mr. Hardcastle.

341. Do you know a man of the name of John Robinson?—Yes, my brother-in-law.

342. Do you know whether he was employed as a messenger?—I never see him do anything; he was always there.

343. You know John Robinson well?—Yes.

344. Did you see him during the election, the nomination, and the polling day?—Yes.

345. Did you see him do any work as a messenger?—None at all.

346. James Wright do you know?—Yes.

347. What is James Wright?—He is a voter, and a shoemaker.

348. Did you see him during the nomination and the polling day?—Yes; he was employed as a messenger.

349. Did he do anything?—Yes.

350. What?—He was sent about errands and different things; taking messages from the committee-room.

351. He was employed?—Yes.

352. Do you know Edward Graves?—Yes.

353. Did he do anything as a messenger?—That is the wrong name. There was one Graves; he did nothing as a messenger.

354. Do you know Joseph Wincup, the son of Thomas Wincup, a voter?—I know old Mr. Wincup. I do not know the son.

355. On the Monday morning after the election, did you meet Mr. Robert Last, Mr. Le Grice's clerk?—Yes.

356. Did you apply to him about payment for yourself?—Yes.

357. Now, in consequence of something that he said to you, did you go to the committee-room for the purpose of being paid?—Yes.

358. Whom did you see there?—I saw Mr. Collins and Mr. Le Grice, Mr. Braddock, and Mr. Graves, and Last.

359. Is he Mr. Le Grice's clerk?—Yes.

360. And James William Clark?—No, I did not see him there.

361. Not that day?—No; I never saw him there at all.

362. What were they doing at the committee-room when you found them there?—They were paying the messengers; they only called in one at a time.

363. What did you say when you applied for payment?—I went in; I was called in in my turn; they said, "Here, James," and laid down a sovereign on the table. I looked at it for a minute; I said, says I, "Is that for me?" They said "Yes." I said, "If my services is not worth more than that, I will make you a present of it."

364. What did they say?—I turned out of the committee-room; I do not know what they said.

365. Do not tell us what he said; did you see a man of the name of Whiting?—Yes.

366. As you were going home, did you meet James William Clark?—Yes.

367. Did you say anything to him about it; to James William Clark?—He did to me.

368. What did he say?—He asked me what was the matter; I told him there was nothing the matter; James William Clark says, "I have got to pay you." I says, "There is nothing the matter." He says, "They have only offered you a sovereign; they insulted you; they gave you 5 *l.* for a lost election, and only gave you a sovereign when it was a winning one."

369. Did they give you the 5 *l.*?—Yes.

370. In the same way?—Yes.

371. For Mr. Hardcastle?—Yes.

372. Did you receive your 5 *l.*?—Yes.

373. Who paid it you?—J. W. Clark.

374. Where did he pay you it?—At his own house.

375. Did you call there for payment?—Yes.

 376. This

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376. This election?—Yes.

377. Who paid you at the previous election?—Mr. Leech, Mr. Hardcastle's solicitor.

378. Were you about at the nomination, and on the polling-day?—Yes.

379. How many messengers did you see at work; doing work; really at work?—I really cannot account; I do not know how many there was; I was busily engaged myself; I cannot form any idea of how many there were.

380. Had you spent 13 *s.* 6 *d.* at public houses more than Clark had given you?—Yes.

381. After Clark had paid you the 5 *l.*, did you see Robert Graves?—Yes.

382. Is that the same Robert Graves whom you saw in the private room with Mr. Le Grice and Mr. Braddock?—Yes.

383. Did you say anything to him about that?—Yes.

384. What did you say to him about the 13 *s.* 6 *d.* you had spent?—I told him there was 13 *s.* 6 *d.* left unpaid at different houses. He told me to go to Clark, at the Hall. He said he had got some money; and tell him he sent me; and ask him for the 13 *s.* 6 *d.*

385. Thirteen shillings and sixpence left scores at the different houses you had been to?—Yes.

386. Do you remember his saying anything about those beerhouse-keepers, if they were not paid, using any expression?—

Mr. *Hawkins* objected to the question.

Mr. *James* was heard in support of the question.

Mr. *Hawkins* was heard in reply.

The *Chairman* stated the Committee were of opinion that the question might be put.

387. Mr. *James.*] What did Mr. Graves say to you with regard to those accounts about the beershop-keepers?—He told me to go to Clark at the Hall; he had got the money; to get it off him; and go round and pay the puppies off, to keep them from barking.

388. What did you understand by that?—I understood by that, because they should not say anything about the election to injure Mr. Hardcastle; that was what I understood. I am not very bright; that is the way I should take it.

389. Did you go, in consequence of those directions, to Clark?—Yes.

390. Did Clark give you any money?—He gave me 13 *s.* 6 *d.*

391. For the scores that were left?—Yes.

392. At which houses were the scores left?—At different houses; some at Feake's; some at the Chequers; it was at different houses.

393. At the houses at which you had those parties that were voters?—Yes.

394. Did you pay this money?—Yes, and 2 *s.* out of pocket; I am very sorry for it, too.

Cross-examined by Mr. *Hawkins.*

395. Do you live at Bury?—No, not now; I reside in Colchester, and have done for some little time.

396. When did you leave Bury and go to Colchester?—About a fortnight after the election.

397. How came you to do that?—On account of losing my wife and home.

398. When did you lose your wife and home?—About a few days after the election she died.

399. When did you first of all make any statement of this matter that you have mentioned to the Committee to-day to anybody?—I should think, perhaps, it was about a week after the election; I cannot say, exactly; I should think about that.

400. Will you swear that you mentioned it within a week after the election?—No, I would not swear.

401. Would you swear that you mentioned it within a month after the election?—Yes.

402. You will?—Yes.

403. Who to?—Who did I mention it to about the petition? I do not properly understand you; put the question again.

404. Who

404. Who did you mention this matter to first of all that you have mentioned here to day?—Do you mean concerning the election?

405. Yes?—Mr. Clay.

406. Can you tell me when?—I cannot tell you exactly when.

407. Was it within a week after the election?—I think it must be.

408. Will you swear it was?—No.

409. Will you swear it was within a fortnight after the election?—I would not speak an untruth about it.

410. Will you swear it was within a fortnight after the election?—I will not.

411. Will you swear it was within a month?—I will swear it was within a month.

412. You have been making some calculations in your mind?—I have been making a calculation since I left Bury.

413. You will swear it was within a month?—Yes.

414. Where did you first of all make any communication about it?—At Mr. Clay's house.

415. Had you yourself any communication during the time that you were at this election with any of Mr. Oakes' party?—I had no communication with anybody.

416. Did you see any of Mr. Oakes' party during the election?—I must see them; I was walking about.

417. Were you from time to time speaking to them?—No.

418. Mr. Clay, for instance?—No.

419. Will you swear that you did not constantly see Mr. Clay during the election?—I will swear that I did not.

420. Never?—I never spoke to him; I saw him on the hustings.

421. You will swear that you did not speak to him?—I will.

422. Who is Mr. Clay?—He is a wine merchant of Bury.

423. Did you go to Mr. Clay's house?—Yes.

424. I am speaking now of during the election, before the polling?—No; I did not go to his house during the election.

425. Did you before the polling?—No.

426. Did you go there on the polling day?—Certainly not.

427. Will you swear that?—I will.

428. How recently before the polling had you been to Mr. Clay's house?—I had never been to his house at all.

429. Never at all?—No, certainly not.

430. I will ask you about these sums of money. Tell me, first of all, when you were offered the 1 *l.* You refused to accept it, you said?—Yes.

431. Were you told that that was the ordinary rate; 5 *s.* a day for four days?—No.

432. Be careful; will you swear that you were not told that?—Yes.

433. By nobody?—By no one.

434. Were you told that 1 *l.* was what others had?—No; I was not.

435. You did not ask?—I did not ask.

436. Did you then say that unless 5 *l.* was paid you for your services, you should see what you could do to unseat Mr. Hardcastle?—Certainly not.

437. Nothing to that effect?—Nothing to that effect; I swear it.

438. I caution you?—So you may.

439. You pledge your oath to that, will you?—Yes; certainly I will.

440. Do you know Mr. Barnes, of Colchester?—I do.

441. The gentleman sitting here?—I know him, and he knows me; I have played marbles with him before now.

442. Did you see Mr. Barnes after the election?—Yes, he came for me.

443. Did you go to see Mr. Barnes?—He came for me himself.

444. Did you say to Mr. Barnes that you would go out of the way, and not obey the Speaker's warrant, if he would only pay you for doing so?—No, never; I deny it.

445. You see Mr. Barnes here; do you mean to pledge your oath that you did not?—Certainly.

446. You do?—Certainly.

447. Were you ever at Writtle, where Mr. Hardcastle lives?—Yes, I have friends living there.

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448. Did you happen to be there yourself, on Sunday, the 21st of June?—Yes.

449. What took you to Writtle, on Sunday, the 21st of June?—A person of the name of Miller, of Colchester, a shoemaker, after Mr. Barnes had come for me; I did not go to Barnes till he came for me. A man of the name of Miller, a shoemaker, said to me, "Why do not you go and see Mr. Hardcastle?" Says I, "What is the use of my going to see Mr. Hardcastle; I shall not tell him anything about the election, any more than I did Barnes." After a day or two, he pressed me to go, and offered to pay my ride up and down if I would go. "Well," says I, "I have no objection to go and see Mr. Hardcastle; I have some friends living there;" and I did go.

450. You did go?—Yes.

451. Did you put yourself in the way, so as to meet Mr. Hardcastle as he came from church?—I did.

452. You had no object, of course, in seeing him?—None at all.

453. You did not know what you were to see him for?—No. This friend of mine (whether he is a friend or not, I do not know,) he wished me to speak to him.

454. Miller wished you to speak to him?—Yes.

455. So you came up from Colchester to Writtle?—I have friends there.

456. You said Miller asked you to go?—He said he would give me a treat up there, if I liked a ride.

457. You had not the least notion about what for?—Of course not.

458. When you saw Mr. Hardcastle, did you say that you meant to give evidence that would unseat him?—No.

459. Will you swear that?—I will.

460. Mr. Hardcastle is here?—Yes, I will swear that.

461. You mean to pledge your oath to that?—I will.

462. Did Mr. Hardcastle say that you could do nothing of the sort?—Mr. Hardcastle said——

463. Did he say that to you; that you could do nothing of the sort?—He did not speak in that way to me at all.

464. Did he say that?—No; he spoke to me in this way; in our conversation it came out; he said, "I cannot give you anything." If you will let me speak what passed I can answer you better.

465. Did you tell Mr. Hardcastle that you were willing to go out of the country if you were paid for doing so?—Certainly not.

466. Nothing to that effect?—Nothing to that effect.

467. Nothing said about your going out of the country?—No, nothing at all.

468. Never mentioned?—Never mentioned. It was a nice time of day for me to go out of the country.

469. Was your going out of the country ever mentioned, either by you or by Mr. Hardcastle?—Certainly not.

470. Were you quite sober that afternoon?—I did not get tipsy.

471. Were you perfectly sober?—I was perfectly sober.

472. Did Mr. Hardcastle tell you he would have nothing to do with you in any shape or way?—Certainly not.

473. Did you ask him to give you a glass of beer?—I told him he dare not.

474. Why dare he not give you a glass of beer on Sunday, the 21st of June; it was all over?—I do not know; because he would be afraid to give me anything.

475. What made you say he dare not give you a glass of beer on Sunday, the 21st of June?—Because he was talking about money, that caused me to say he dare not give me a glass of beer.

476. He was talking of money?—Yes.

477. Did you not say that you were willing to go out of the country, if you were paid for doing so?—No, never.

478. Did not Mr. Hardcastle tell you he would give you nothing; he would have nothing to do with you?—No, it is false; he never said anything of the sort.

479. What time in the day was this?—It was about half-past 12.

480. Did you ask Mr. Hardcastle for a glass of beer, and did he tell you that he would not give you a glass of beer, or anything at all?—I never asked him for one.

481. Did

481. Did he tell you he would not give you a glass of beer or anything at all?—He said, "I dare not give you a glass of beer," in our conversation; he shook his head and laughed.

482. He never said that he would not give you anything?—No, he never said he would not give me anything.

483. Did you tell Mr. Hardcastle that you could live like a prince at Norton Court, if you liked?—No.

484. Norton Court is where Mr. Oaks lives?—I deny it *in toto.*

485. You know that Mr. Oaks lives at Norton Court?—I never was at Norton Court, in Mr. Oaks' house.

486. Does Mr. Oaks live there?—He does, I believe.

487. Did you tell Mr. Hardcastle that you could live like a prince at Norton Court?—Mr. Hardcastle knows better than that.

488. Did you tell him so, upon your oath?—Upon my oath I did not; it is of no use putting such questions as that to me.

489. Will you pledge your oath that you said nothing of the sort?—Certainly, I will pledge my oath that I never did.

490. How long were you talking to Mr. Hardcastle altogether upon that Sunday?—I should think about 10 minutes.

491. I dare say you can tell us what actually did take place?—That I can.

492. Let us have your version of it?—I met Mr. Hardcastle in the churchyard at Writtle; I asked him if he knowed me, my name was James, from Bury; he said he recollected the name very well, but he could not recognise every person that he had seen in Bury. Well, he asked me, when we got out of the churchyard, to walk up the road a little way; we walked up the road a little way, and I asked him if he wanted to see me about the election; he asked me what I knowed about it; I told him I should not tell him, nor yet anyone else; he then said, "I dare not give you any money." "No," says I, "I do not intend you should; I never asked you for any in my life, though I have handled some of your money through Clark." Well, we shook hands and parted; to the best of my belief, that was every word that passed between us.

493. Why did you want to see Mr. Hardcastle?—I did not want to see him; to please other people; I did not do it to please myself.

494. To please other people you put yourself in Mr. Hardcastle's way; when he asked you what you knew about the election, you told him you were not going to tell him?—Certainly.

495. You came up from Colchester and put yourself in his way, to tell him that you would not tell him anything; is that so?—Yes.

496. You really mean that?—Yes. I wish you would let me tell you what took place between Barnes and me.

497. Do you mean that you came from Colchester, at the request of a friend, and put yourself in Mr. Hardcastle's way, and when he asked you about the election, you said you should not tell him?—I did.

498. You have mentioned Mr. Barnes again; let me ask another question about Mr. Barnes; did you tell Mr. Barnes that you would go to Manchester, if he liked?—No.

499. Did you mention Manchester?—No.

500. Did you tell him that they could not find you there?—No.

501. Did you see Mr. Barnes after you had been to Mr. Clay?—Yes.

502. Or before?—After.

503. And before too?—No.

504. What took you to Mr. Barnes?—He came for me; I did not go to him; he came himself.

505. Where did he see you?—He came to the door of the house where I lived. He asked the landlady if I was at home. She said, I was. And he said, "Tell him to come down to my office directly."

506. Did you go to his office?—I did, about an hour afterwards.

507. Let us hear your version about what took place at Mr. Barnes'?—I will tell you every word. I went down to Mr. Barnes' office, and he took me into a private room, and he said, "James, did not you ask me to do something for you once?" Says I, "Yes, but you did not do it." He says, "I will do something for you now." I told him I should be very much obliged to him if he would; and then we had a little off-hand conversation, and I said, "This is not what you want me for; you want me about Mr. Hardcastle's election." He said,

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said, "What do you know about Mr. Hardcastle's election?" Says I, "I will not tell you anything about it." He put his hand in his pocket and gave me 2 *s.*, and said he would see me another day. I saw him a few days afterwards. Says I, "Do you want anything more of me?" He says, "No."

508. What did he give you 2 *s.* for?—I do not know; he came after me.

509. You say that you told him you would tell him nothing about the election?—Certainly, I did.

510. What did you suppose Mr. Barnes wanted you for?—I supposed he wanted me to tell him all about the election.

511. When you told him you would tell him nothing, he gave you 2 *s.*?—He did.

512. Did you talk about Manchester?—I have no recollection of Manchester being mentioned. I cannot say.

513. Cannot, or will not?—I cannot.

514. Will you swear that?—I will.

515. You mean to swear that you never said you would go out of the way if he would pay you?—I do swear so.

516. Do you know Captain Hubbard?—Yes.

517. Did you tell Captain Hubbard that you wanted 5 *l.* for your services?—No.

518. Nothing to that effect?—No; I had nothing to do with Captain Hubbard.

519. Did you tell him that you wanted 5 *l.* for your services?—No.

520. Do you mean that you have never had any conversation with him about it?—Certainly not.

521. Never discussed the subject at all?—Certainly not.

522. Did you tell Captain Hubbard that if you did not get 5 *l.*, you should do something?—No.

523. Nothing to that effect?—No.

524. Had you no conversation with him?—No.

525. Upon the subject?—No.

526. Never a word passed between you as to your expenses or your services?—No; certainly not.

527. How long did you remain at Writtle, after you had had this interview with Mr. Hardcastle?—I had dinner, and spent two or three hours there.

528. Then, you went back to Colchester?—Yes.

529. Just let us know a little about yourself before; did you at one time belong to a boot and shoe trading society?—Yes; many years ago.

530. There were some subscriptions, were not there?—Yes; it was a combination of journeymen shoemakers; I recollect it very well.

531. Did you hold your meeting at the Admiral Harvey Inn?—Yes; at that time.

532. Do you recollect anything happening to the box in which the funds were kept?—Yes; very well.

533. They were lost suddenly one day, were they not?—Ah! but they were found again directly.

534. Where had they got to?—The men disagreed among themselves together, and a party took posssession of the box.

535. Was that party who took possession of the box yourself?—No.

536. Did you take possession of the money?—No; I did not.

537. Did you take your share of the money?—I had a share put into my hands.

538. Were there two other people, Baxter and Marchant; did you take possession of the box?—No.

539. Did they take possession of it?—I do not know.

540. Was the box broken open, and 5 *l.* a-piece shared between you?—It was not; it never was broken open.

541. Did you have a part of the contents of that box?—It all went back again; the other party kept the box, and divided the money.

542. Did you get hold of the money; and were you made to pay it back again?—No; I paid it back of my own accord.

543. Have you ever yourself been in custody?—Been in custody?

544. Yes.—I never recollect being in custody. I never stole anything in my life.

545. Will you swear that you have not been in custody. How many times have you been been before the magistrate?—I once got into a little trouble in Colchester about a little boy.

546. You ran away, and left him to take care of himself, did not you?—No; his mother ran away and left him; I did not.

547. You got into a little trouble?—I got into all the trouble; that is true.

548. Do you remember a young man named Horsnell?—Yes.

549. You lived in London once, did not you?—Yes.

550. Do you recollect Horsnell coming up to London?—Yes.

551. To be instructed in your business I think, did not he?—No; not to my knowledge he did not come to me to be instructed.

552. Do you remember that he came there to be instructed in the business of a shoemaker?—I do not recollect that he did. I knowed him to work as a journeyman; I never knowed him to come to be instructed as one.

553. Do you remember some ladies' shoes that had to be delivered?—No.

554. Do you remember saying to Horsnell on one occasion, with regard to the ladies' shoes that you had to deliver, that your clothes were very untidy, and he might as well lend you his?—No.

555. Nothing of the sort?—No.

556. You cannot forget it; do you mean to swear that it never happened?—No; it never happened.

557. Do you remember borrowing his watch at the same time?—I never knew him have one.

558. You mean to swear that there is no pretence for saying that you borrowed his clothes and his watch?—Certainly not; I could always dress as well as him.

559. There is no pretence for it at all?—No, certainly not.

560. Do you remember whilst you were in London working for a person named Snell, in the Commercial-road?—Yes.

561. Do you remember having some dozen pair of ladies' shoes to make?—I dare say I have made hundreds.

562. Do you remember a dozen pair which you never returned to Snell?—No, I do not recollect anything of the sort.

563. Perhaps you cannot remember this; was there a reward offered for your apprehension?—Never, to my knowledge; I do not know what for. I have a brother who worked for him, as well as myself.

564. When was it that you first saw, as you say, Mr. Collins, Mr. Hardcastle, and Mr. Le Grice together?—That was about the 12th of March.

565. You remember the day, I suppose, pretty accurately?—I cannot say that exactly; I think it was on a Thursday.

566. What makes you fix upon the 12th of March?—I say about the 12th of March; I do not fix on the day.

567. You fixed once the exact day, what makes you say it was about the 12th?—It was about the Thursday, and I think the 12th was on a Thursday.

568. That was the occasion you were first employed as messenger?—Yes.

569. Was anything said to you about the rate of remuneration that you were to have?—No, nothing at all.

570. Did you say anything about it yourself?—No.

571. Were you in work at that time, or what were you doing?—Yes, some work; I was not very busy; I had some work.

572. The first thing you mentioned was about James William Clark; you said, I think, on the Thursday you saw Clark, and he gave you 5 *s.*; was that on the same day that you were first of all appointed a messenger?—No, it was the Thursday week; the Thursday after.

573. Just tell us what he said to you, if you recollect this conversation; what he said about this 5 *s.*?—Clark?

574. Yes; tell us what the conversation was?—He told me to go——

575. Can you give us the words at all?—He told me to go to the Cross Keys. He said, "Take a few with you. Do not spend all the money yourself, but give sixpence or a shilling to the other parties. Go down, and try and secure his vote."

576. Try and secure whose vote?—A man of the name of Last.

577. You said here that you were to divide the money?—To get a few to go with me.

 578. Was

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578. Was anybody's name mentioned?—No.

579. Did he say who was to go with you?—No, he left that to me.

580. He left that entirely to you?—Yes.

581. When did you first of all mention to anybody that he had given you this 5 *s.*?—A man by the name of Scates went with me.

582. You mentioned that to Scates?—Yes.

583. When did you mention it?—When did I mention it to Scates?

584. Yes?—I cannot recollect.

585. You cannot remember that?—I cannot.

586. Was anybody present upon the occasion when Mr. James Clark gave you the 5 *s.*; can you name anybody else that was present?—No.

587. Can you say that nobody was present, and only you two together?—I think only us two together, to the best of my recollection.

588. Was anybody present while this conversation took place; while he was speaking to you about going down to the Cross Keys?—I have no recollection.

589. Was there no third person who heard it?—I cannot say that there was not.

590. Was there any third person who heard it?—I would say so in a minute; but I do not recollect any third person being there.

591. Can you swear that?—To the best of my belief, there was not a third person.

592. Will you swear that there were not several persons present when you were having this conversation with him?—I will, to the best of my belief.

593. Where did you see Scates?—He lodged at the same place that I did.

594. What was Scates?—A tailor.

595. I think you said you went down the same day?—Yes.

596. Did you say anything to Last?—Yes.

597. What did you say to Last?—I asked him to vote for Mr. Hardcastle.

598. Was that before or after you had spent this money?—At the time we were standing drinking.

599. Just tell us what you said to Last?—When we got sitting there comfortably round, all drinking together, he was drinking with us, I asked him if he would support Mr. Hardcastle. He said, "Yes." I said, "Would you vote for him." He said, "Yes, I will."

600. How long were you in the house then?—I should think I might be there pretty well three hours; between two and three hours.

601. How many had you there?—There were several in the room; there was only one convenient room to sit in; there were several there when we went; about six or seven went with me.

602. So that you had six or seven in the house for three hours, and you spent between you 8 *s.*, as I understand you?—Yes.

603. Can you tell me, besides Scates, who was present, and heard you speak to Last upon the subject?—Scates himself spoke to Last; so did several others.

604. Who else; name some other person?—I do not know that I can name any other name.

605. Taking all those seven or eight people with you?—Yes.

606. Can you tell us who were there?—No; I cannot. I did not pick up anybody to go there particularly. I was to take seven or eight people along with me. It was left me to do that, because Last should not know that I was spending this money to secure his vote; he should not know that the money came out of my pocket. I took who I thought proper.

607. You were to take several people there, so that Last should not know that you were spending the money out of your pocket?—So that he should not know that I was there after his vote.

608. That was the object of your taking those persons there?—That was my object; to get his vote.

609. Your object was, that he should not know that you were there after that; did you divide the money between those persons that you took?—Yes.

610. How much did you give them a-piece?—Some 6 *d.*, some 1 *s.*

611. So that each man as he had his drink paid for it?—No; we all drank together, and paid alike.

612. Sometimes one paid, and sometimes another paid?—Yes; we paid regular one after the other.

613. Each man paid as if he was an independent customer?—Yes.

614. I suppose

614. I suppose you divided this money before you went to the house?—Before I got to the house.

615. You are sure about that?—Yes.

616. Was all the money spent which you divided on that night?—Yes.

617. That was all that you had divided?—Yes.

618. How soon after you had got the money did you divide it?—I had the money in the middle of the day, and I did not divide till night.

619. Had you received any other money that day?—No.

620. Do you know perfectly well how much money you had given to you?—Yes.

621. How came you to divide 8 *s.* if you had only received 5 *s.*?—I did not divide 8 *s.*; 3 *s.* I spent out of my own pocket.

622. On your own account?—Yes; I had it back.

623. What did you do on the following morning; what day did you say this was?—On the Thursday.

624. The Thursday week or Thursday fortnight after the election?—The Thursday week previous.

625. You took the persons there with you, as I understand you to say?—Yes.

626. They all went with you together?—Yes.

627. Having told us that you went together, you cannot recollect the name of Scates; cannot you tell me the name of anybody beside Scates?—Yes, I can recollect if I can bring their names to mind. There were some tailors at work in Bury, at Mr. Kitson's. There are some I could recollect in a few minutes, one of the name of Brooks.

628. What is he?—A tailor.

629. They all seem to be tailors?—There is a good many.

630. Who else besides Brooks?—If I can recollect the names; I am not very much acquainted with them; I will tell you the whole of them if I can recollect.

631. Where did you find them?—At the Griffin. I lodged at the Griffin myself, and they used to come there, and I used to take them from there to go down.

632. When did you first see Clark after this; after you had spent the money?—The following morning.

633. Was anybody present with Clark when you saw him the following morning?—No.

634. Are you sure?—Yes.

635. Where did you see him?—At the Hall.

636. I will take you to the next matter you spoke of, that is, Porter?—No, Feakes was the next.

637. When was it you were told to go to Feake's?—On the Friday evening afterwards, to the best of my recollection.

638. Who was present when you were told to go there?—I met Clark in the street, and he told me that in the street.

639. So that nobody heard those directions given you?—No.

640. Nobody at all?—No.

641. What did he say to you upon that occasion?—He told me to go and take a few up there. I told him he did not give me money enough to do no good. He took me over the way, into a bootmaker's shop.

642. Did you tell him what you had done, how you had disposed of the money before?—Yes.

643. And the reason why you had done so?—He sent me for the purpose.

644. You divided the money, so that Last should not know anything about it?—I went according to his orders.

645. Did you tell him that you had done so; that you had divided the money before you got to the house?—Yes, that was his orders; I went according to his orders.

646. You say he gave you 8 *s.* in Clark's shop?—Yes.

647. Clark, the shoemaker; do I understand you that he was present?—Yes.

648. What was said when the 8 *s.* was handed over to him?—Clark, the bootmaker, said, "What! you have commenced bribery already."

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649. He knew perfectly well what it was for at once?—He thought by his giving me money that I was going about to get people to vote.

650. What answer was made to that?—No answer; I came out of the shop directly.

651. You made no observation?—I never heard a word spoken, only what Clark himself said.

652. You were taken into Clark's, the boot-shop, to have 8*s.*?—Yes.

653. Having that, you walked out, and that was all that took place?—Yes, that was all I heard.

654. As to Feake; who went down with you to Feake's?—I generally took something about the same parties with me; there might be a difference at times of one or two.

655. Who went to Feake's with you?—I believe this Brooks was one; I will not be positive whether he was or not; I know Seates was; we lodged in the same room together; we were continually together; I really cannot recollect a lot of names.

656. Did you divide the money?—I always divided it.

657. Was that before you got to Feake's?—Yes.

658. Was that for the same reason you divided it before you got into Last's?—Yes.

659. Do I understand that when you got to Feake's, each man paid his score as if he was an independent customer?—Yes.

660. And you did the same?—Yes.

661. Was it because Mr. Feake should not know you were after his vote; was that your reason?—We were sent there on purpose to get his vote.

662. Was that the reason, because Mr. Feake should not know you were after his vote?—That was Clark's order.

663. Was that your reason?—I had no reason at all myself; it was Clark gave me the order; I went according to his order; I had no reason for dividing the money.

664. Was that the reason, that he should not know that you came for his vote?—I cannot say; I did it in accordance with Clark's orders; he told me to take four or five to each place I went to, and not to spend all the money as if I was spending it myself; to divide it amongst them four, or five, or six, to secure those people's votes.

665. You have said already with regard to Last, on the subject of dividing the money, that why you did it was that Last might not know you were after his vote?—I done it under the order of Clark.

666. Is it true or not what you have sworn, that you did it because Last should not know you were after his vote?—That is my direction from Clark.

667. Was it the same with regard to Feake?—That was my direction from Clark.

668. When did you ask Feake whether he would vote for Mr. Hardcastle?—The first time was the Friday.

669. When you went to the house first of all?—We were all there drinking together.

670. I will take you to Saturday; you say that on Saturday you went to Clark and reported progress; was there a soul present when you reported progress?—No.

671. Nobody at all?—Nobody, to the best of my belief.

672. Take the Monday morning, when Clark said he was short of cash, and told you to go to Moore at the Griffin, was anybody present upon that occasion?—No.

673. Can you tell me whether any one was present on any one of those occasions when you spoke with Clark?—I do not believe there was any one present.

674. So you cannot mention a second person who can corroborate you?—No; I did not make it my business to speak with him if he was engaged with any one else.

675. And on the 27th, Friday, that was the nomination day?—Yes.

676. What time in the morning was it you met Mr. Hardcastle that day?—On the nomination day?

677. Yes?—I do not know that I met him at all.

678. On

678. On the Monday previous?—In the forenoon.

679. Did you tell Mr. Hardcastle that you had seen Clark at Bellman's?—No, I told Mr. Collins, but they were together.

680. Was Mr. Hardcastle there, so that he could hear it?—I will not pretend to say he could; it was loud enough; he was not far off.

681. I think Bellman sells sausages?—Yes, he keeps a very small shop; he sells different little things.

682. Do you know whether Clark dealt with Bellman at all?—No.

683. Have you been in there while Bellman was in the shop?—I never was in Bellman's in my life.

684. Had you spoken to Clark about his going to Bellman's?—Are you speaking of John Clark?

685. Yes?—No, I had nothing to say to him about going to Bellman's.

686. What was there to excite your surprise to see John Clark going to the sausage shop sometime in the morning?—I thought he was begging him for his vote for Mr. Oakes, when I wanted him to vote for Mr. Hardcastle.

687. Who was?—John Clark.

688. John Clark, the tailor, did he use to canvass for Mr. Oakes?—I do not know that he did; I was not along with that party.

689. Why do you seem to make so much of a man going to the sausage shop three times on one morning?—Because I believed he went there backward and forward for the sake of getting Bellman to vote for Mr. Oakes.

690. Is John Clark the drunken little tailor?—No, a different man altogether.

691. When you saw Bellman about his vote, did he ask you how much you had for your vote at that election of 1852?—I never had one.

692. When you said 25 *l.*, it was utterly untrue?—No, it was not untrue; I never had it; he said, "How much did you have the last time you voted?" I said, "25 *l.*" I never did vote; I never had a vote.

693. Did you have the 25 *l.*?—No; I never did vote.

694. It was untrue altogether?—I do not see that it was an untruth exactly; I said the last time I voted I had 25 *l.*, but I never did vote.

695. And was that or not untrue, according to your notion?—No, not according to my notion.

696. Was it true?—No, of course not.

697. Did you ever have 25 *l.*?—Certainly not.

698. What did you tell him you had 25 *l.* for?—He asked what I had for my vote the last time, and I told him I had 25 *l.*

699. What was your object to tell him you had 25 *l.*?—To get him to vote for Mr. Hardcastle.

700. You told him that, in order to induce him to vote for Mr. Hardcastle?—He told me 20 *l.* was better than a kick, and he would have that before he voted.

701. Then you cannot see that what you told him was untrue?—No, I do not think so; I cannot see it.

702. You said you told what you told to Bellman to James William Clark?—Yes.

703. When?—I believe it was on the same day as I told Mr. Collins that Clark was backward and forwards.

704. You cannot give a date to that?—It was either the Monday or the Tuesday previous to the election.

705. What did Mr. Clark say, when you told him you had told this lie about the 25 *l.*?—He did not say anything particularly to me about it; he said we must try and get his vote.

706. What did he say?—I do not know.

707. You do not recollect whether he made an observation or not?—No.

708. Cannot you recollect one way or the other?—I cannot recollect whether he said anything to me one way or the other.

709. If I understand with regard to Bellman, your conversation with Clark was simply this, you told him you told this lie about the 25 *l.*, and he said nothing?—I believe it is.

710. That is all that took place about Bellman?—Anything that I can recollect I will tell you.

711. Did you go to Bellman's again?—No never.

 712. Never

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712. Never after that?—No.

713. Never spoke to Bellman upon the subject again?—No, I believe I never did.

714. You took no steps at all towards getting Bellman's vote?—No, I do not think that I ever did.

715. Do not you know that you did not; it was a large sum of money he wanted?—No, I do not believe that I did.

716. I see there is a third occasion we are coming to. On Wednesday you say that you got 5*s.* more; when was it Feake promised you his vote?—Both times; he promised the first and second as well.

717. He promised you the first time?—He promised he would vote both times for Mr. Hardcastle.

718. The first time he promised the vote?—Yes.

719. Did you believe he would so give Mr. Hardcastle a vote?—No, I was very doubtful of him.

720. What made you so doubtful of him?—Because he voted the other way previously; he voted for Mr. Oakes, the one before that for Mr. Stuart.

721. Why were you so doubtful?—Even when he got to the hustings.

722. Were you a personal friend of his?—Certainly not.

723. If you were not a personal friend of his, and were so doubtful about him, did you expect to get his vote by spending money, so that he should not know you were doing so; I was paid for doing so; I was employed for that purpose; I was doubtful even when he stood against the hustings.

724. You said you got 5*s.* more on the Wednesday, and you divided that in the same way?—Yes.

725. Did anybody see you had that 5*s.* handed to you?—No, only Clark.

726. I will come now to the timber-legged gentleman?—He is a funny little fellow.

727. How long have you known the timber-legged gentleman?—I never knew him in my life.

728. You never knew him at all?—No.

729. Had you any money to spend at his house?—Me and Skates went there and spent some money.

730. Had you any money given you to spend at his house?—We spent it out of our own pockets.

731. The timber-legged man, you had nothing to offer him?—No.

732. As I understand you, you had no authority to offer him anything?—Certainly not.

733. Who had he voted for the election before?—I never knew the man. I do not know whether he had a vote before; I do not know anything about him.

734. What were you to go to the timber-legged gentleman for?—On purpose to get his vote.

735. You say you did not know he had a vote?—Not till the last election.

736. When you went to the timber-legged gentleman, were you merely to ask whether he would vote or not?—Yes, to get him to give Mr. Hardcastle a vote. I was paid to go round on purpose.

737. Was your employment, so far as regards the timber-legged gentleman, merely to go and ask him if he would vote for Mr. Hardcastle?—My employment was to encourage everybody I could get hold of to vote for Mr. Hardcastle.

738. Was that your employment?—Yes.

739. You had no authority to spend any money in his house or offer him a farthing?—Certainly I had not.

740. Did you ever have any money handed to you for the purpose of Porter?—No never.

741. Never at all?—No.

742. Did you ever ask for any money to give him?—I asked for money from Burrows to get up a party at Porter's.

743. Did you ever ask for any money to give to Porter?—No.

744. Having, as you say, promised the money without any authority, did you ever take any steps to perform your promise?—No; never.

745. You thought no more about it?—Certainly not.

746. You

746. You made the man a promise which you thought no more about, without any authority at all?—Yes.

747. That is so?—Yes.

748. You never meant to perform it at all?—It did not lie in my power.

749. Did you mention to anybody this statement that he said about his brewer, his owing 17 *l.* 10 *s.* for beer; did you tell anybody of that?—Yes, I told James William Clark.

750. Will you swear that?—Yes.

751. When?—On the same day that I went down there, when the party was here.

752. Give me the date?—It was on the Thursday previous to the election.

753. Where was that?—At the hall.

754. What did you tell Mr. Clark?—I told him I had been and seen the timber-legged gentleman, and I had been once before that; and I asked him how he was going to vote; I had asked him privately; there was only him and me together; Skates was in the house; I spoke to him privately myself; and I says, says I, "Will you vote for Hardcastle?" He says, "I would rather vote for him than anybody else; I am in difficulties."

755. I am asking you what you said to Mr. Clark at the time you told Mr. Clark you had seen the timber-legged gentleman?—I told him I had promised it should be all right, the 17 *l.* 10 *s.*

756. You told him you had promised it?—I told him it should be all right.

757. You never asked for money to give him, and no more was said about it?—Not on my part.

758. Was there any more said about the 17 *l.* 10 *s.* at all?—Yes.

759. By whom?—Richard Bullock.

760. When?—On the night the meeting was.

761. When was that?—That was the Thursday previous to the election.

762. Did you ever see Porter about the 17 *l.* 10 *s.* again yourself?—No.

763. Have you seen Porter since several times?—I saw him the day he voted.

764. Did he ask you for the 17 *l.* 10 *s.*?—No; he did not speak to me; he did not see me; I do not think I saw him since till I see him here now.

765. Did you say one single word to him upon the subject from the day that you say you promised him the 17 *l.* 10 *s.* till the present hour; have you said one single word upon the subject?—I never had any conversation with him at all.

766. He has never asked you for the money; and you never have asked for the money to pay him?—No.

767. I think I understood you to say just now, that when you promised him 17 *l.* 10 *s.*, you did not mean anything by it?—I said it would be all right,

768. Did you mean to perform your promise?—I had no authority to say so.

769. I suppose, having no authority to say that you thought nothing about the promise?—No.

770. You thought it went for nothing?—Yes.

771. Did you ever mean to perform it; you had no authority to make it, and I suppose you did not mean to pay the 17 *l.* 10 *s.* out of your own pocket?—I did not.

772. You made the promise, and never meant to keep it?—I meant to get his vote.

773. Is it true or not that you made him a promise to pay him 17 *l.* 10 *s.*, never meaning to keep it?—Never having the least idea that he would ever have it.

774. You said that you saw Mr. Collins afterwards, and Mr. Collins told you you must look after the timber-legged gentleman again?—Yes.

775. Had you at that time got the timber-legged gentleman's promise; had he promised to vote at that time?—No.

776. Will you swear he had not?—No, he had not promised to vote till the Wednesday.

777. Had he not promised when you first of all saw him; did not he tell you that he intended to vote for Mr. Hardcastle; that that was his intention?—The first time I saw him?

778. Yes, the first time you saw him?—If he could have money enough.

 779. Did

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779. Did not he tell you, without regard to money, that his intention was to vote for Mr. Hardcastle?—No, he did not.

780. Did he, before you left him upon that occasion, tell you he should vote for Mr. Hardcastle?—No.

781. On the day before the nomination, I think you said, you saw James William Clark again?—Yes.

782. Just repeat to me what it was that James William Clark told you that day before the nomination?—On the Thursday?

783. Yes?—He told me to go to Burrows and ask him for some money, and go down to Porter's at the British Queen, and get up a party. I went down to Burrows.

784. Did he say anything to you as to the object of it, or was it merely to get up a party?—No, he did not.

785. I will call your attention now to what you swore?—No; I understood that was all that I was to go there for.

786. He said nothing to you at all, except that you were to go down there and get up a party?—To go to Burrows to get some money; he did not tell me to get up a party there.

787. Did you say this a short time ago; that on the day before the nomination James William Clark told you to go to Burrows and ask for some money to get up a party at Porter's at the British Queen, to entice him to vote for Mr. Hardcastle?—Yes.

788. Will you pledge your oath that James William Clark ever said one single syllable that you were to entice him to vote for Mr. Hardcastle?—Yes; I understood that I was employed on purpose.

789. Will you pledge your oath that he used those words to entice him to vote for Mr. Hardcastle?—Yes.

790. On the occasion of the day before the nomination?—Yes.

791. Did not you say, just now, that he said nothing about it, because you said it all?—He did not want to tell me anything, but I could understand him without his talking; he gave me money.

792. You could understand what he said without his speaking to you?—I could understand him.

793. You have told me once all that he told you was to ask for money to get up a party at Porter's; he said nothing more than you told me once?—I believe to the best of my recollection he told me to secure his vote.

794. Will you swear that he said anything of the sort?—To the best of my recollection, it is the words.

795. Or is it your understanding?—That is the truth to the best of my belief.

796. You said in your original examination you were to get up a party to entice him to vote for Mr. Hardcastle; was that said?—I believe it was.

797. Was it to entice him to vote, or secure his vote or what?—The meeting was got up on purpose.

798. You had promised to give us the conversation; you have sworn that a conversation took place, and you have sworn also that he did nothing more than ask for money to get up a party at Porter's?—I believe he did say to entice him to vote for Mr. Hardcastle.

799. You believe that?—I believe he did.

800. You were mistaken when you said he did not say so a little while ago?—To the best of my belief he did.

801. How much did you have upon that occasion?—None at all.

802. You did not get up a little party?—Yes, we did.

803. Where did you get the money from?—Burrows told me to get it up, and he would be there about eight.

804. How much money did you get?—None.

805. How much did you spend?—Bullock paid the reckoning. Burrows promised to be there, but he did not come.

806. Was that money divided between the men before they came in?—He paid it in the lump.

807. How much?—To the best of my belief, 10*s.* or 10*s.* 6*d.*

808. How long were you there?—Three hours; all that time, I should think.

809. If

809. If I understand you, you never saw Bullock doing anything at all?—Only there.

810. Had you known Bullock before?—Yes, I had known Bullock a length of time.

811. What is Bullock?—A labouring man.

812. A friend of yours?—Yes.

813. Let us take William Clark, the tailor; is he a friend of yours?—Yes.

814. A great friend of yours?—No.

815. How long has he been a friend of yours, William Clark, the tailor, this terrible fellow for drink?—I have known him through going to his shop. I never kept no company with him; I always speak friendly to him, having known him about four years.

816. I must ask you now with regard to this man; you say that you and Scate took him to the Griffin tap?—Yes.

817. And that, leaving him there, you went to the committee-house, and saw Mr. Graves there; that is true, is it?—Yes.

818. Who was there besides Mr. Graves?—Mr. Le Grice and Mr. Braddock.

819. What took place on that occasion; were you there in the presence of Mr. Le Grice?—Yes.

820. Just repeat to me the conversation that you had with Mr. Le Grice?—I told him that Scates had got Clark up to the Griffin. I was quite tipsy; and if there were not something done, the other party would take him away. Mr. Le Grice made answer then, "You know, James, if one sixpence were spent it would throw Mr. Hardcastle out." Mr. Graves made answer, "You are a non-elector, James; you know what to do, go and do what you like.

821. Was anybody there besides Mr. Le Grice and Mr. Graves when that took place?—Yes; Mr. Braddock and myself; that is all.

822. Is Mrs. Norman here?—Yes, I have seen her.

823. I dare say you can tell me a little of this bill of 3*l.* 6*s.* 6*d.*; what it was this man Clark had; 3 *l.* 6*s.* 6 *d.* is a large sum for brandy-and-water?—He did not drink it all himself; other people drank it; he took what he wanted of it.

824. What did he have to drink?—Beer, and brandy-and-water too, and something to eat.

825. How long were you in his company with him?—I was in his company three or four times before he went to bed; Scates was along with him; I told him to keep along with him; I had other business to do; we could not both stop along with him.

826. Was anybody besides Scates left in charge of him?—No.

827. If I understand, at ten o'clock he was beastly drunk?—Yes, or about that time; I cannot tell to a minute.

828. You said you lodged at the Griffin?—Yes.

829. How long did you lodge at the Griffin?—I think I lodged there about—I cannot say to a week, but I should say about two months, or near that time, I cannot say to a week.

830. Did you pay for anything at all for yourself during that week that this 3*l.* 6*s.* 6*d.* was incurred at Mrs. Norman's;—why do not you answer the question?—I think it is very likely I did.

831. I think it is very likely you did not?—If I called for anything I paid for it.

832. You mean to swear that you did?—Certainly.

833. Was there any cash included in this 3*l.* 6*s.* 6*d.*?—Eight shillings I spent out of my own pocket.

834. Was not there 1*l.* 16*s.* of actual cash for money that you had of Mrs. Norman?—Certainly not.

835. Will you swear that?—Yes.

836. Will you swear that the sum of 3*l.* 6*s.* 6*d.* was not partly made up of 1*l.* 16*s.* cash?—I never had a farthing of her of cash.

837. The 3*l.* 6*s.* 6*d.*, was not that made up partly of cash to the extent of 1*l.* 16*s.*?—No; to 8*s.*

838. Eight shillings only?—That is all.

839. Was that 8*s.* cash that had been handed to you?—That 15*s.* out of it I believe I borrowed of Joseph Moore, for something to be spent for the purpose I was about for, and it was added to this bill of the 8*s.*

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840. Did Scates live in the house?—Yes.

841. At the same time with you?—Yes.

842. Had Scates a running account at the house?—Yes.

843. Had you a running account there?—I used sometimes; not in a general way. Scates used to board with the people; I did not; he regular boarded with them.

844. You were a great deal in and out of the Griffin during this week or two during the election?—Yes, I were in and out there; I worked.

845. Did you have a great deal yourself to drink there?—No.

846. With regard to the ale and spirits charged in the bill of 3 *l.* 6 *s.* 6 *d.*, a great deal was not ale and spirits that you had been drinking?—Certainly not.

847. Will you swear that?—I will swear it.

848. Did you go to Mrs. Norman one day, about a fortnight before the election I am speaking of, and tell her that James Clark had said that you might ask her husband to let you have some money, and that he, James Clark, would repay it?—I did not.

849. Did you go then and tell her that James Clark said you might have some money, and that he would repay it?—Out of one of those 5 *s.* Now I come to recollect, that I meant to spend at public-houses was borrowed in Mr. Clark's name of Mr. Norman, and Clark paid it back again himself; so Mr. Norman told me he did.

850. On the Monday after the election, how many men were there who went up to be paid with you?—They went in singly.

851. How many were there waiting to be paid?—I should think there might be, I did not count them, about 20, or more.

852. Did you learn that 5 *s.* was being paid for messengers?—I never knowed; I never heared.

853. Be a little cautious; do you mean to say that you never took the trouble to inquire what was paid to the messengers?—No.

854. Did you make no inquiry as to what the men were paid?—Some 5 *s.*, some 10 *s.*, and some a sovereign; there were not any paid equal.

855. Do you know the name of a single messenger who said he had a sovereign?—Scates had it.

856. How many days had he been employed?—You may reckon two, the nomination day and the polling day.

857. Why may not you reckon four?—He was employed as long as I were; the same time; that was nearly a fortnight.

858. You say that Scates had 1 *l.* for nearly a fortnight?—Yes; I would not take one; it did not pay me.

859. Did you get your 5 *l.*?—Yes.

860. When did you get your 5 *l.*?—I got 1 *l.* of it. On the Tuesday morning after the election I went to the house, and asked if he was going to settle with me? He said, "I will give you a pound; call again in a day or two, and I will give you another." I says, "Are you going to throw me overboard; if you are, I will not take a pound."

861. Did you, before you got 5 *l.*, say anything about giving evidence upon the petition?—No.

862. Nothing whatever; the subject was never mentioned?—No.

863. Was anybody present when Clark paid the 5 *l.*?—I did not have it all at one time.

864. When he paid you 1 *l.*?—No.

865. Was anybody present when you received the rest?—I had 10 *s.* one morning.

866. Was nobody present when you received any portion of the rest of the money?—I think his wife was, but no one else.

867. I will take you now to Mr. Graves; you say you saw Mr. Graves with regard to the sum of 13 *s.* 6 *d.*; you say Mr. Graves told you to go to Clark's house to get some money to pay the puppies, to keep them from barking?—Yes.

868. Was anybody present on the occasion when Mr. Graves said that to you?—No.

869. Or when Clark paid you the 13 *s.* 6 *d.*?—No.

870. Having gone now through all the evidence in chief, let me ask you, upon

upon any one single occasion when you had a conversation with Clark as you have said upon the subject of the election, was there any single individual who heard the conversation between you on any one occasion?—I do not think there were; to the best of my belief there were not. I met him every day at the hall.

871. How long have you been in London now?—I came on Tuesday.

872. Had you any money for your expenses?—Yes.

873. How much have you had for your expenses?—I have had 3 *l.* 10 *s.* altogether.

874. How much more are you to have?—I do not know what my expenses will be. I have no idea.

875. Have you not the least idea?—No.

876. I suppose you have not been keeping yourself; you say you do not know what your expenses amount to?—I have got a lodging in Holborn.

877. What have you paid since you have been in London. What have you paid?—It has cost five or six shillings.

878. How much more are you to have for your expenses?—I do not know.

879. I suppose 3 *l.* 10 *s.* will not satisfy you?—That will depend upon the loss of time.

880. Have you not the least notion how much more you expect?—Upon my oath I have not.

881. You do not know whether it is 2 *l.* or 50 *l.*?—I am sure it will not be 50 *l.*

882. While you were at Colchester. What have you been doing at Colchester?—Shoemaking. I was a master.

883. Have you got a shop or are you a journeyman?—Yes; I am obliged to be. I have been a master.

884. About a fortnight since the election you left Bury?—Yes.

885. Have you been in constant work since?—Yes.

886. Who did you work for?—I worked for two parties. I endeavour to get it. I do what I can for myself; there is a man of the name of Warren I work for, and a man of the name of Finch.

887. What I want to know is this; can you tell me how much you have earned as a journeyman shoemaker since you went to Colchester?—I am sure I cannot. I have no idea.

888. Have you received money at all?—For work.

889. From Mr. Oakes's party, besides your 3 *l.* 10 *s.*?—No.

890. Or lent you?—Yes; I had a sovereign lent me.

891. No more than a sovereign?—No more.

892. What was that lent for?—That was lent me by Mr. Clay.

893. Before you left Bury?—Yes.

894. Was that lent when you went and gave your evidence to Mr. Clay?—Yes; I asked him to lend me a sovereign.

895. Was that all you could screw yourself up to ask for when you went to give Mr. Clay your evidence?—That was all I asked for.

896. Was that before or after you gave your evidence?—After.

897. What made you go to Mr. Clay, to give evidence to Mr. Clay?—Because I considered the other party had behaved dirty to me, of course.

898. You considered the other party had behaved dirty to you?—Yes.

899. That was your reason for going to Mr. Clay?—Well, of course it did not matter to me who I went to.

900. Nor yet whose money you took; you intended to do right?—I intended to make the statement I have made.

901. When did you make up your mind to make that statement?—Directly after the election.

902. Was it before they had behaved shabby to you that you made up your mind to make that statement?—I made up my mind to make that statement, because they had behaved dirty to me.

903. Was it before or after you had 5 *l.* for expenses?—I had the 5 *l.*

904. Was it after you had refused the 5 *l.* at the committee-house that you made up your mind to make your statement to Mr. Clay?—Yes, it was.

905. Was it the first time you had made up your mind?—Yes.

906. Had you any notion of doing it during the time the election was going on?—No.

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907. You could not have liked the work you were about; it must have been very distasteful to you that work?—I made up my mind about four or five days after the election.

908. You suddenly made up your mind four or five days after?—I think it was four or five days.

909. What made you so suddenly make up your mind to do so?—I do not know; I did do it.

910. What was it made you make up your mind; supposing Mr. Hardcastle had behaved liberally, should you have made up your mind to go then?—I did not make up my mind till four or five days after the election.

911. Supposing they had behaved liberally to you, should you have made up your mind to tell Mr. Clay about it?—I did not make up my mind till four or five ——

912. Answer my question?—I cannot answer you any other.

913. You told Mr. Clay that you went to Mr. Hardcastle, and told him that you would not give him any information upon the subject?—Yes, I did.

914. Do you know a person named William Syrett, at Bury St. Edmund's?—Yes, there are several.

915. He is an engineer at Bury St. Edmund's?—Yes; I know the engineer.

916. Did you see him on the evening of the day of the election?—I do not recollect that I did; I know him very well.

917. Did you say to him, "This is a glorious affair to-day;" and did he say to you, "Why, how quiet and comfortable the thing has been done"?—I do not recollect.

918. Did you say, "Yes, there has been no drink and no music; it only shows what would have been done at other times if money had not been spent; I do not believe Mr. Hardcastle spent a shilling"?—I do not recollect ever saying of that.

919. I ask you upon your oath did you not, upon the evening of the day of the election see Mr. Syrett, and say, "I do not believe Mr. Hardcastle has spent a shilling"?—Upon my oath, I do not recollect seeing Mr. Syrett.

920. Will you pledge your oath that you did not see him, and did not state that to him?—I will pledge my oath this way, that I have no recollection of seeing Mr. Syrett at all.

921. Did you speak to a man named Moore, who had been in your employ?—I have spoken to him about Moore.

922. Was that upon the evening of the election?—I have often spoken to him about Moore; Moore was a friend of mine.

923. Can you undertake to swear that?—I would almost swear it.

924. Will you quite swear it?—I will swear I have no recollection of seeing him that day; I have often spoke to Mr. Syrett.

925. Did you talk to Mr. Syrett about the election?—I do not recollect that I did.

926. Will you swear?—I will, to the best of my belief.

927. Your memory is remarkably good about those other matters?—Upon my word, I do not recollect speaking to Mr. Syrett about this election.

928. You will not undertake to say, that you did not tell him there had been no drink and music?—To the best of my recollection, I did not.

929. Might you have said to him, "I do not believe that Mr. Hardcastle spent a shilling?"—I do not recollect seeing him at all.

930. Might you have said that, or is it untrue if he says you did?—I have no recollection of saying that.

931. You will not pledge your oath that you did not?—I have no recollection of saying that.

932. Will you pledge your oath that you did not?—No, I would not; I have no recollection of ever seeing of him.

933. Is it a thing that you might have said and forgotten?—Well; possibly I might.

934. If you did say it, was it true that you did not believe Mr. Hardcastle had spent a shilling?—No; of course.

935. You might have told a lie on that subject, and have forgotten it altogether?—I never said a word of it not costing him a shilling.

936. Will you swear that?—I have no recollection of seeing Mr. Syrett at all, and no recollection of having any conversation.

937. Have

937. Have you not told us that you did not say to him that Mr. Hardcastle had not spent a shilling?—I have no recollection of seeing him at all.

Re-examined by Mr. *James.*

938. You have been asked about no drink and no music?—Yes.

939. There was a band; where did it play?—About the town.

940. A Yellow or Blue band?—A Yellow band.

941. Did they play opposite the Fox, opposite Burrow's?—Yes.

942. Opposite the committee-room?—Yes.

943. Opposite Mr. Hardcastle's committee-room?—Yes, it played about the town.

944. You say the first person you spoke to of it was Mr. Clay after the election; did you go down to Colchester and leave your wife at Bury?—No; I never left there till she died and had been buried.

945. Mr. Clay is a wine merchant and a friend of Mr. Oakes's?—Yes.

946. While your wife was dying, was he very kind to your wife, and did he send her some wine?—Very kind.

947. Your wife died soon after the election?—About a few days.

948. He had been very kind to your wife, and he had been a partisan of Mr. Oakes's?—Yes.

949. Did you go to him in consequence of his kindness, and tell him what had occurred at the election?—Yes.

850. Did you make the same statement to him that you have made to the Committee upon oath?—

Mr. *Hawkins* objected to the question.

951. Mr. *James.*] Did you tell him the same?—Yes.

952. You have spoken of going to Writtle, to Mr. Hardcastle?—Yes.

953. Who was it proposed to you to go up to Mr. Hardcastle at Writtle on the 21st of June?—A man of the name of Miller.

954. What is Miller?—A shoemaker, and he keeps a beershop.

955. Where; in Colchester?—Yes.

956. Mr. Hardcastle had stood for Colchester?—Yes.

957. How came he to propose that to you?—He asked me several times to go and see Mr. Hardcastle.

958. I think Mr. Hardcastle has stood for Colchester, and Miller proposed to you to go up to Mr. Hardcastle?—Yes.

959. Did you intend to go, until Miller had spoken to you?—No, I had no idea of going at all; it never struck my mind, no more than it did to Mr. Barnes. I never should have gone if he had not come to me.

960. When you went to Mr. Hardcastle you told us what occurred?—Yes.

961. Are you quite sure that Mr. Hardcastle shook hands with you when you parted?—Yes.

962. Who is Mr. Barnes; is that the same gentleman who had been Mr. Hardcastle's attorney?—Yes.

963. Do you know how Mr. Barnes came to send for you?—No, I have no idea; I could make a good guess.

964. Had you anything whatever to do with Mr. Barnes to bring you into connexion together?—No.

965. Nothing to do with Mr. Barnes; Mr. Barnes called and saw your wife, and requested you to call?—My wife was dead; he left a message where I lodged.

966. You went to Mr. Barnes, and he gave you 2*s.*; had he ever given you money before?—Never.

967. Had Mr. Barnes been at Bury St. Edmund's conducting Mr. Hardcastle's election in 1852?—Yes.

968. The same gentleman?—Yes.

969. He is an attorney, at Colchester; that is the same gentleman who sent for you?—Yes.

970. Did you ever know what made Mr. Barnes send for you; did you ever know?—I could guess; I never knew.

971. They have been very busy in London about you; you have been asked about this shoemakers' combination?—Yes.

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972. How many years ago is that?—I think, as near as I can judge, 14 years.

973. Did you ever take, upon that occasion, any money belonging to the society, or anything of that kind?—There was a dispute between them; they parted, and there was some money given to me; it was all put back again.

974. Did you ever steal any money, or anything of the kind?—No.

975. It was a squabble about the box?—Never.

976. As to Mr. Syrett, you do not remember having spoken to him?—I have not the least recollection of seeing him at all. I know him very well; I have often spoken to him; but I have not the least recollection of speaking to him upon the last election.

Examined by the *Committee.*

977. You say that Mr. Clay was very kind to your wife when she was ill?—Yes.

978. You told him what had occurred at the election out of feelings of gratitude?—Yes.

979. Are the Committee to understand that you told him that purely out of gratitude, and not the least because you thought the other party had behaved shabby?—That was a feeling of mine; I had a feeling that the other party had behaved shabby.

980. Do you think if Mr. Clay had not behaved kindly to your wife, you would not have made that statement?—I do not know; I think I should.

981. Because you thought the other party had behaved shabby?—Yes.

982. Still it had something to do with your making that statement to Mr. Clay, his having been kind to your wife?—It was true I made the statement to him. I should not have made the statement to him if he had not made a statement to me. I made it to him in preference. I believe I should have made the statement to Mr. Ion.

983. You gave Mr. Clay the preference, because he had been kind to your wife?—Yes.

[The Witness was directed to withdraw.

William Clark was called in; and, having been sworn, was Examined by Mr. *James,* as follows:

William Clark.

984. WHAT are you?—A Tailor.

985. Where did you reside at the time of the election?—In Wells-street, Bury St. Edmund's.

986. Were you a voter at that election?—I was.

987. How did you vote?—I voted for Mr. Hardcastle.

988. You voted rather early in the morning?—I did; I was the first.

989. Who went with you to the poll?—A man by the name of Skates, commonly called Swanks; Bill Skates I call him.

990. What is Bill Skates?—A tailor, the same as myself.

991. Did Henry James go up to the poll with you?—I do not remember.

992. Try and remember?—I assure you if I remembered I would tell you in a moment; I do not remember.

993. Where did you sleep the night before you polled?—At the Griffin tap.

994. Had you a comfortable night?—Very; slept soundly.

995. Who slept with you?—I slept in a room; it was, mind you, a double-bedded room; Swanks, as we term him, he slept on one bed, and I slept on the other; I did not undress.

996. You slept so comfortably, that you did not care whether you were undressed or not?—No, I did not undress.

997. Perhaps you slept more comfortably for that?—It did not matter.

998. Swanks was in the other bed?—Yes.

999. What time did you go to bed?—As near as I can guess, about 11 o'clock.

1000. Who woke you in the morning?—I woke Swanks.

1001. You found Swanks in a comfortable repose, and woke him up?—I did.

1002. What

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1002. What time did you get up?—As near as I can guess, about half-past six or seven.

1003. You were the first who polled?—I was.

1004. What time did you go to the Griffin the night before, or the day before?—I went pretty early in the day; let me see; would you want it to the exact minute?

1005. No, not at all, I am not particular?—About as near as I can guess about three or four in the afternoon.

1006. Did you meet Swanks and Henry James in the afternoon?—I met Swanks in Abbeygate-street.

1007. About what time of the afternoon of the nomination?—It was about half-past one, as near as I can guess.

1008. Do you know Henry James?—I have seen him; I do not wish particularly to have much acquaintance with him; I know him too well to have much acquaintance with him.

1009. Your families do not visit?—No.

1010. Do you know him when you see him?—I have happened to meet him with Swanks, that is all I know about him.

1011. Are you and Swanks upon intimate terms?—Yes.

1012. The Clarks and the Swankses visit?—Yes, he has worked for me.

1013. You met him with Henry James?—Yes.

1014. Which spoke to you first, Henry James or Swanks?—I spoke to Swanks; "Swanks," says I, "my boy, the Tories want to get hold of me, they want to drug me, they want to give me a dose to take me over on the other side." I met him in Abbeygate-street, and I said, "You look out for me."

1015. You put yourself under Swanks's care?—I put myself under Swanks's care.

1016. Which side was Swanks?—I do not know, he has no vote, I believe.

1017. Did you know that he was a Yellow?—I do not know.

1018. Do you know whether he is Yellow or Blue?—I do not know whether he was Yellow or Blue.

1019. Did you know that he was a messenger?—I put myself under Swanks's care; I put myself under the care of Swanks before, when I required assistance; he has always been all right, he takes care of me.

1020. When anything happens to you, you order Swanks to take you up?—He is my keeper, you may term it.

1021. Having put yourself under Swanks's care, where did Swanks take you to?—To the Griffin.

1022. Is that where he generally takes you to when you put yourself under his care?—No, he takes me to my own house sometimes, sometimes one place and sometimes another, we are not confined to one place or another.

1023. It is immaterial to you so long as he has the care of you?—Yes.

1024. Having put yourself under Swanks's care, who suggested that he should take you to the Griffin?—I went there with my own free will.

1025. Who proposed to go to the Griffin, you or Swanks?—I do not know, I don't remember, we went just as we thought proper; no one proposed, neither the one nor the other, as I remember.

1026. Did you know that Swanks, under whose care you were, was going to take you to the Griffin?—No, I did not.

1027. Did you know where he was going to?—No.

1028. Anywhere where Swanks took you to?—Anywhere, that was it.

1029. He took you to the Griffin; do you remember whether Henry James was with him when Swanks was with you?—I do not know.

1030. Did you see Henry James that afternoon?—I would not swear it, I was rather drunk.

1031. Just try and remember that; do you remember seeing Henry James?—I cannot swear I do; I will swear I do not.

1032. You do not remember seeing Henry James; you are on your oath?—I am on my oath; I do not.

1033. You do not remember seeing him that afternoon?—I do not.

1034. Did you get something to drink at the Griffin?—We had a glass of ale to begin with, me and Swanks.

1035. Had you any dinner there?—No.

1036. Any supper?—No.

 1037. Had

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1037. Had you no supper there?—No.

1038. Nothing but a glass of ale the whole time?—No.

1039. What time did you go?—As near as I can tell about seven or eight, I cannot tell exactly.

1040. Do you recollect, or is your recollection sufficiently accurate to enable you to swear that you had nothing but a glass of ale the whole of the afternoon?—I will swear positively.

1041. Your recollection is sufficiently accurate to enable you to say that you had nothing but a glass of ale?—It is.

1042. How far is your house from the Griffin?—Would you like it in feet, or in yards.

1043. Yards; tailor's measure?—I cannot tell you exactly; perhaps 100.

1044. Are you a married man?—Yes.

1045. Do you lodge at your house?—I am a tenant, I rent it.

1046. What made you sleep at the Griffin that night, why did you not go home?—It was my particular wish to sleep there.

1047. Why?—That was a fancy of my own.

1048. Tell the Committee why you slept there; I suppose having a wife you have a comfortable bed at home?—Yes.

1049. Having that comfortable bed at home, what made you prefer to sleep in your clothes in a double-bedded room with Swanks?—Because it was my particular wish.

1050. But why?—I was out on the spree and I slept out, and I shall perhaps to-night, there is no one can stop me.

1051. That was your reason for sleeping there?—There was no druggery or anything.

1052. When you are out on the spree it is your fancy to sleep in a double-bedded room with Swanks?—Yes.

1053. On the morning had you anything to drink before you polled?—Yes; a little purl.

1054. What they call early purl?—It was rather early.

1055. What did you take?—I believe there was about a pint between three of us.

1056. What is the composition of purl?—I had perhaps the eighth part of a pint.

1057. Who gave you that?—I took it myself.

1058. Did you pay for it?—Swanks paid for it.

1059. Did you see him?—Yes, I did.

1060. Have you ever repaid Swanks?—Yes.

1061. What, for that purl?—Yes.

1062. When?—Frequently repaid him.

1063. Do you mean by that that you have given Swanks purl in return?—Yes, we drink together.

1064. Had you any breakfast?—No, I do not think we had.

1065. Try and remember?—No, I will swear I had not.

1066. You had no breakfast at the Griffin before you polled?—No, I had not.

1067. That you mean to swear?—Yes, I will swear it.

1068. Where did you go back to after you polled?—I am sure I forget; I will tell you as accurately as I can.

1069. You and Skates went to the poll together?—I cannot tell, I am on my oath, and I wish to tell the truth.

1070. Did you go back to the Griffin?—No.

1071. Who paid for your bed?—I did.

1072. How much did you pay for it?—I paid the demand that was charged.

1073. How much?—I do not know; I do not pay attention to a bed; sometimes we pay a shilling, and sometimes sixpence.

1074. Who did you pay?—I do not know.

1075. Do you mean to swear before the Committee, that you paid for your bed that night at the Griffin?—I will not.

1076. You are upon your oath; now will you swear before that Committee that you paid for your bed at the Griffin?—I will not swear I did; I do not remember.

1077. Had you any money with you?—I cannot tell; sometimes I have money and sometimes I have not.

1078. Just

1078. Just now you said you paid for the purl in the morning?—I did not.

1079. You said that Skates paid for the purl; you said that you paid for the bed; do you mean to swear it?—I swear I do not remember whether I did or not.

1080. Who paid for the beer that you had in the afternoon?—Swanks.

1081. You did not?—I did not; I will swear Swanks did; I saw him put down the money.

1082. Had you a vote at former elections; is this the first time you have had a vote?—I have voted previously.

1083. How have you voted before?—Earl Jermyn.

1084. Who else?—Nobody.

1085. How did you vote at the election of 1852, when Mr. Stuart, who is now Sir James Stuart, was a candidate?—No one; I was quiet; I did not vote for any one.

1086. Who canvassed you for your vote; who asked you to vote upon this occasion for Mr. Hardcastle?—No one.

1087. You were never canvassed by anybody?—Never; by no soul living.

1088. Skates never said a word about your vote?—No.

1089. Do you mean to tell the Committee that?—I will; I will swear it.

1090. Did you tell Skates how you were going to vote?—I might have told him.

1091. Did you?—I have no doubt, in the way of conversation I might have told fifty people, but I do not know whether I told Swanks, as we term him, or any one else.

1092. Did you tell Swanks when you were under his care?—I had promised my vote long before that.

1093. Who to?—To Mr. Hardcastle, and I will give him another if he puts up to-morrow.

1094. When did you promise Mr. Hardcastle your vote?—Nine months before this election.

1095. As long as that?—I should think nine months, as near as I can judge.

1096. Was he canvassing?—He was not canvassing.

1097. Where did you see him?—I happened to see him on the platform of the Bury station.

1098. Nine months before?—Yes.

1099. What did he say to you?—He did not say anything; I went and told him; he did not ask me for a vote; I told him I would give him a plumper the first time he put up.

1100. Was not Henry James at the Griffin with you that afternoon or evening?—I don't know anything about Henry James, and do not want.

1101. If you were so intoxicated that you do not remember anything that passed, if you will tell the Committee that, I will not press the question; if you do remember, I must have a distinct answer; were you so intoxicated at the Griffin that you cannot remember who was with you, or what passed?—I do not.

1102. You were too intoxicated?—I was.

Cross-examined by Mr. *Hawkins.*

1103. You say that you had seen Mr. Hardcastle nine months before, at the station?—Yes.

1104. When you were a voter upon the occasion of the election in 1852, I believe you were in partnership with your brother?—Yes.

1105. Since then your partnership has been dissolved, and now you are on your own account?—Yes.

1106. How came you to promise your vote when you saw Mr. Hardcastle upon the platform?—Would you like to know the reason? I have reasons no one has asked; if you would like to know the reason, I will tell you.

1107. Was he upon the platform?—I do not wish to expose it, unless you put the actual question.

1108. Was Mr. Hardcastle upon the platform?—He was.

1109. Did you see him there?—I went up and promised; he did not ask me, nor nobody else.

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1110. Just tell me have you been in the habit of going to the Griffin?—Yes, frequently.

1111. Do you know Norman, who keeps it?—Of course I do.

1112. What was Norman?—A tailor.

1113. Had anybody seen you before you went to the Griffin this afternoon, upon the other side, Mr. Oakes's party?—Yes, they had.

1114. Who had seen you?—I had been threatened by the Tory party; they threatened me that they would drug me.

1115. Who had done that?—I can bring names forward if you please; do you require them?

1116. Who was it?—I can name one James Middlewich, in at the White Lion, and several others.

1117. When was that?—It was the afternoon before the election.

1118. Have you known Swanks long?—Yes; 30 years; he rocked me in the cradle.

1119. Have you and he been constantly in the habit of being together?—Yes.

1120. Backwards and forwards?—Yes; like brothers almost.

1121. Did James pay for any drink for you?—I never saw James pay one fraction for a drop of drink that ever I received, on my honour; I am on my oath, and I speak the truth.

1122. Was James a man who had been an acquaintance of yours?—Never; all I know of James was through Swanks; through his being a friend of his; that is all I know of James, that I will declare.

Re-examined by Mr. *James*.

1123. They threatened to drug you; you had drugged yourself pretty well that afternoon?—I was pretty well "boozey."

1124. What is Middlewich's christian name?—James.

1125. He is not a voter, is he?—No.

[The Witness was directed to withdraw.

Mrs. *Sophia Bellman* was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mrs. *S. Bellman.*

1126. ARE you the wife of William Bellman?—Yes.

1127. Who is a voter for Bury?—Yes.

1128. Do you recollect his being canvassed a few days before the election?—Yes.

1129. Who called upon him?—Mr. Hardcastle and Mr. Oakes.

1130. They did not call together, I suppose?—No, not together, but at different times.

1131. Who called with Mr. Hardcastle, if anyone was with him?—Mr. Collins.

1132. And anybody else?—I do not know; I think there was another gentleman.

1133. Do you know Mr. Clark?—Yes; I know Mr. Clark.

1134. Was it him?—I do not think it was; I do not think there was another gentleman.

1135. There were only two gentlemen?—Yes.

1136. Was you husband at home when they called?—Sometimes he was, and sometimes he was not.

1137. The first time?—The first time I do not think he was.

1138. Did they speak to you?—Yes.

1139. What did they say?—They asked if my husband had a vote; I said I did not know that he had a vote; Mr. Hardcastle said, "Yes, he had a vote, and we would be much obliged to him for it."

1140. Did you say anything upon that?—I said, "I do not know any anything at all about it; my husband must go which way he thought proper;" Mr. Hardcastle said he would call again.

1141. Did

1141. Did he call again?—Yes.

1142. With whom?—Mr. Collins, I think.

1143. Was that the same day, or another day?—I think it was another day, but that I cannot say.

1144. Was your husband present upon that occasion?—Yes.

1145. What did Mr. Hardcastle or Mr. Collins say to you or to him?—He asked my husband for his vote.

1146. What did you say then, or what did your husband say?—I said we was not particular which party we went with, whether Mr. Oakes or Mr. Hardcastle.

1147. Tell us what you told him?—I said I wanted to make something of it; we were rather in difficulties.

1148. Did you say that to Mr. Hardcastle or Mr. Oakes?—I do not know whether I said it to Mr. Hardcastle or Mr. Oakes's party, I cannot say.

1149. You said it to both perhaps?—Very likely; I might perhaps.

1150. When you said that you wanted to make something of your husband's vote, what was said by either Mr. Hardcastle or Mr. Collins?—Mr. Hardcastle said he was canvassing; he smiled and said he was canvassing, that was all.

1151. What did he say to your husband about the vote?—He said he should be much obliged for his vote.

1152. Did your husband promise?—He did promise Mr. Hardcastle.

1153. After he had promised Mr. Hardcastle, did Mr. Hardcastle say anything more; did he thank him, or what did he say, or to you?—He thanked us,th at is all.

1154. Thanked him and thanked you?—No, he did not thank me; he said I should thank you for your vote; my husband did not promise him at all; he did not promise neither.

1155. I thought you told me this moment that he did promise?—He told Mr. Hardcastle he would give him a vote.

1156. Did he promise him; you told me just now that your husband promised Mr. Hardcastle; I believe now you say he would give him a vote?—That was it.

1157. Did he say he would vote for Mr. Hardcastle?—He told Mr. Hardcastle he would vote.

1158. Just state what took place?—I think I have.

1159. I asked you whether Mr. Hardcastle thanked your husband for his vote?—He said he would thank him if he would vote for him; he should be much obliged to him for his vote.

1160. What did your husband say to that?—My husband did not say exactly that he should vote for him; he said he had not made up his mind exactly.

1161. After that, do you recollect a person of the name of Robinson coming to your husband?—Yes; Mr. Robinson came in.

1162. Did Mr. Robinson see you?—Yes; my husband was not at home.

1163. Did Mr. Robinson come afterwards when your husband was at home?—I think he did; I cannot say exactly.

1164. Do you recollect whether your husband went anywhere with Mr. Robinson?—Yes.

1165. Mr. *Hawkins*] Did you go with them?—No.

1166. Mr. *Rodwell.*] Did you see your husband leave the house with Mr. Robinson?—Yes.

1167. Before your husband left the house with Mr. Robinson, did Mr. Robinson ask him to go anywhere?—Yes.

1168. What did he say?—I sell bread; I keep a little shop; I do not sell bread for Mr. Robinson; I sell it for Mr. Watson; Mr. Robinson came in and looked at my bread.

1169. Does Mr. Robinson deal with you?—No; he is my landlord.

1170. Tell us what took place; Mr. Robinson came and spoke about bread; what did he say to your husband?—He said, "Is Bellman at home?" I said, "He is not."

1171. Well?—He went out.

1172. Now I am asking you to tell us when your husband was at home before Mr. Robinson went out, what was said?—Nothing particular; I do not know what passed; nothing particular; he came in and talked about the bread.

1173. Did he talk about bread to your husband?—Yes.

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1174. Tell us what he talked about besides bread?—He asked if he would go and take a glass with him; go over to the King's Head and have a glass with him.

1175. Did your husband go with him?—Yes.

1176. You did not go with them, you say?—No.

1177. In the course of the evening did your husband return?—Yes, very shortly; in about half-an-hour.

1178. Did he bring anything in with him?—Yes; brought me a little rum for my tea.

1179. Did he give it to you?—Mr. Robinson said, "Would not your wife like to come and drink with you?" The landlady made answer, and said, "She will not come; not to sit down here; send her a little rum for her tea."

1180. Had Mr. Robinson ever given you any rum before?—I never knowed Mr. Robinson, though he was my landlord.

1181. Do you know him by sight?—I did not know Mr. Robinson. We hired the house of Mr. Clark, at the King's Head. Mr. Robinson is my landlord now; he was at that time just commenced.

1182. You say he never gave you any rum before, or came into your shop about bread?—No.

1183. What else did Mr. Robinson talk about when he was with you and your husband, besides the glass at the King's Head?—Nothing particular. I do not recollect anything at all.

1184. Tell us all that passed?—That is all, to the best of my knowledge.

1185. Anything about Mr. Oakes and Mr. Hardcastle?—No; never anything was named about the election at all.

1186. You do not recollect anything more than the invitation to go to the King's Head?—Just asked him if he would go the King's Head, and have a glass with him; that is all I heard.

1187. Do you recollect, the morning of the election, your husband going to vote?—Yes.

1188. Who went with him?—John Holden, and Robert Last and Ransom; they four went together.

1189. Do you know Holden?—Yes.

1190. He is a friend of your husband's, is not he?—Yes.

1191. When had you heard Holden last say anything about the vote, or about the election, about your husband voting, or about the election?—No; I do not recollect.

1192. Just try and recollect; do you recollect at any time your husband borrowing any money of Holden?—Yes, I do.

1193. When was that?—He did not borrow the money; he did borrow the money and paid it down; that is just the same thing.

1194. Did Holden lend your husband a sum of money?—Yes; he did.

1195. How much?—Ten pounds.

1196. Did your husband repay that?—The chief of it.

1197. Having mentioned that to you, I ask you whether you recollect anything being said about the vote; about the election at this time?—No.

1198. Do you recollect Last saying anything to you about your husband owing any money?—No.

1199. Did Holden say anything to you about the 10*l.*?—No.

1200. Nothing of the sort?—No; because I paid him the chief of it.

1201. How much do you owe him?—Pretty well 30*s.* He has never asked me for it.

1202. When did you make him the last payment?—Two years ago; I dare say it may be more; I dare say it is seven years since he lent me the 10*l.*

1203. Do you recollect Mr. Collins calling by himself a day or two before the election?—I think I do. He came as far as the door; he did not come any further.

1204. What passed between you and Mr. Collins then?—Mr. Collins asked me which way we were going to vote?—I said I really did not know.

1205. Was this before or after he and Mr. Hardcastle had been with you?—Afterwards.

1206. Was that before or after your husband had been to the King's Head with Mr. Robinson?—That I cannot say.

1207. Try

1207. Try and recollect?—I do not know.

1208. What day was it your husband went to the King's Head with Mr. Robinson?—I do not know neither.

1209. You say that was after Mr. Hardcastle and Mr. Collins called; how long after Mr. Collins and Mr. Hardcastle had called together was it that Mr. Collins came by himself?—That I do not know; I recollect Mr. Collins coming, but I took no notice.

1210. Was it the next day, or the same day?—Three or four days; I cannot say exactly.

1211. What did Mr. Collins say when he came?—He asked which way we were going to vote; I told him I did not know exactly.

1212. Tell us all that you said?—I said to him I want to make something of it.

1213. Again, you wanted to make something of it; what did Mr. Collins say to that?—He says, "Do you get it; do not you stand for promises; do you get it."

1214. What did you say to him?—I said, "That I shall if I can."

1215. What did he say then; just tell us the whole?—I do not know that he said anything more; I think that he smiled and went away.

1216. You had not any beer sent to your house, had you, during the election?—No; not any.

1217. Did Mr. Collins, when he called, ask anything about Mr. Oakes's party; do you recollect Mr. Oakes's name being mentioned?—No.

1218. When Mr. Collins called by himself?—No; I do not recollect.

1219. I understand you did not promise Mr. Collins then that your husband would vote?—To the best of my knowledge, I did not.

1220. Do you know which your husband did promise?—I think he promised both.

1221. Up to this moment you had not promised one?—But he said he told them both he did not know; perhaps he said something like that.

1222. Do you recollect anything of any one coming in before the election and asking your husband to vote, and your husband promising?—No.

1223. Who else came after Mr. Collins had been by himself; who was the next to ask his vote for Mr. Hardcastle?—I do not know that any one did.

1224. In the morning of the election he went up with Holden and Last, and a man of the name of Ransom; did they come to him that morning to ask him to go to poll?—No; they said they should all vote one way; they should all do alike.

1225. What time in the morning was it your husband went to the poll?—About twelve or one, I think.

Cross-examined by Mr. *Hawkins.*

1226. I understand that your husband went over to have a glass with Mr. Robinson, and you had twopennyworth of rum afterwards?—I had a half-quartern.

1227. That is more than 2 *d.*?—That is 3 *d.*

1228. It is no uncommon thing to have 2 *d.* or 3 *d.* worth of rum?—No, not at all.

1229. You say here you were asked by both Mr. Hardcastle and Mr. Oakes's party; do you remember making any observation to Mr. Oakes's party at all about wanting to make something for your vote?—Yes; I told him I wanted to vote that way I should get most by it.

1230. Did he smile?—Oh, yes, he smiled; I do not recollect the words; I do not know what he said exactly. He smiled, and said he was canvassing.

1231. Did they both smile, and say they were canvassing?—They both smiled, and said they was canvassing.

1232. They all smiled, I think you said, when Mr. Collins came to you; he told you to trust nobody's promise, but to get the money?—That is right; something to that effect: "You get it," he said.

[The Witness was directed to withdraw.

William Bellman was called in; and, having been sworn, was examined by Mr. *Rodwell*, as follows:

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1233. YOU are a voter at Bury, I believe?—Yes.

1234. How did you vote at the last election?—I voted for Mr. Hardcastle and Lord Jermyn.

1235. Do you recollect being canvassed by Mr. Hardcastle?—Yes.

1236. When was the first time?—I am sure I do not know the day; I never kept no account.

1237. Was it a few days before the election?—Yes.

1238. Was he by himself, or with any one?—Mr. Collins, Mr. Hardcastle, and Mr. Le Grice.

1239. Where did they see you?—In my own house, on the doorstep I stood.

1240. Was your wife present at that time?—Stood just behind in the passage.

1241. What passed between you and those gentlemen?—He asked me whether I would be so kind as give him a vote; I told him I didn't know that I could give him a vote; I had been away from the Mutton so long; Mr. Le Grice said, "I can, I always was Yellow;" and I said, "I shall give Mr. Hardcastle a vote."

1242. Did you make any more direct promise to him then?—He asked me again; I said, "I think I shall give you a vote, sir."

1243. Was your wife by at this time?—She was in the passage just behind.

1244. Did you hear her say anything?—I heard her say something about she thought perhaps I should give my vote to Mr. Hardcastle; she did not know what I should do about it.

1245. What else did she say?—She said something to Mr. Hardcastle; I do not know what she said.

1246. Who was the nearest to Mr. Hardcastle, your wife or yourself?—I were.

1247. Did your wife speak to Mr. Hardcastle, and speak so that you could hear it?—She came up to the door, and spoke after I turned away.

1248. You do not know what your wife said to Mr. Hardcastle?—Not about that.

1249. You cannot tell me the words which your wife used?—I forget.

1250. What was it about?—I do not know what it was about.

1251. Do you mean that you do not know what your wife said to Mr. Hardcastle?—I do not know what she said all the time.

1252. What did you hear her say?—She said, "We was in difficulties, and hoped Mr. Hardcastle would think of her." He said, "I am canvassing, I shall have nothing to do with it now;" and he said, "Good day."

1253. Do you recollect Mr. Collins coming after that to see you by himself?—Yes.

1254. Was that the same day?—Yes, it was.

1255. What did Mr. Collins say to you?—I am sure I do not know; I did not keep no particular account of what he said; I am sure I do not know what he said exactly.

1256. What did he come about?—He wanted to know whether I meant to give Mr. Hardcastle a vote, and I said, "Yes."

1257. Was that all that passed between you and Mr. Collins?—Yes, as far as I know.

1258. Try and recollect how long he was there with you?—I should think four or five minutes; five minutes I dare say.

1259. What was he talking about during those four or five minutes?—About the voting; I said I should give Mr. Hardcastle a vote.

1260. What else passed before you said that?—I am sure I do not know; what was it, sir?

1261. Oh, yes, you do.

Mr. *Hawkins* objected to the course of the examination.

The *Committee* intimated that the learned Counsel must not make comments on the answers.

1262. Mr.

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1262. Mr. *Rodwell,*] Do you recollect what was said?—No, I do not, that is the truth.

1263. Was there something more than what you have told us?—I do not recollect that there were.

1264. What was he doing the four or five minutes he was there?—Talking about the election.

1265. What did he say about the election, that is what I want to know?—I do not recollect.

1266. You do not recollect anything?—I am sure I do not know what he said about it.

1267. Do you know a man of the name of William Robinson?—Yes, I do.

1268. He is your landlord, is not he?—Yes.

1269. Did you see him about the vote?—I was in Mr. Sewell's house drinking some beer along with some more people, and one of them says —

1270. What house is Sewell's?—The Marquis of Cornwallis; one of them says, "That is one of your tenants, Bellman." He says, "I never see the man before in my life, nor he me to my knowledge." He said, "Well, Bellman, you hired the house of Clark," that is Clark at the King's Head."

1271. Clark is a tenant of Robinson, and you are the tenant of Clark?—Yes; the house did not suit him, so he let it to me.

1272. What day was this?—The day of the election; yes.

1273. Before the election?—The day before; I do not know.

1274. The day before the election do you recollect Robinson coming to your house?—Yes.

1275. Had you ever seen him in your house before?—No, I never had; he had called, I believe, but I had not seen him before.

1276. When Robinson came to you, what did he say?—He says, "Who are you going to vote for?" I said, "Hardcastle, I am going to vote for." "Oh," he said, "they tell me you are a tenant of mine; will you go over to the King's Head, and you and I will have a pint of beer." We went to the King's Head, and he gave me a pint and part of another.

1277. Was that all you had?—We had sixpenn'orth of rum-and-water; he asked me if I would have any more; Mr. Clark said, "Have another glass, Bellman;" I said, "You can put it in that little mug, and I'll take it home to my wife for her tea."

1278. And you did so?—Yes, a half-quartern.

1279. What time did you poll on the day of the election?—About half-past twelve.

1280. Before polling, had you seen a man of the name of Holden that day?—John Holden; yes.

1281. Had you said anything to him about voting?—No, not before then; he called in at my house, and asked whether I was —

1282. Did you see him then?—Yes; about twelve o'clock, I think.

1283. That was shortly before you voted?—Half-an-hour, perhaps.

1284. What did he come to you about?—He says, "Well, Bellman, are you going to vote; which way are you going to vote?" "Hardcastle for ever," says I; he says, "Come along;" there were seven or eight of us having a pint or two of beer.

1285. Had you some beer?—Five or six of us together, along with some others.

1286. Where?—At the Marquis of Cornwallis.

1287. Did you pay for what you had?—Yes; and some bread and cheese; we had a quartern loaf amongst us; we paid for a pound of cheese.

1288. Did Holden once lend you a little money?—Yes; he lent me 10 *l.* once, five or six years ago; he said "Well, come along, are you going now;" I says "Yes;" and he says, "Take hold of my arm," and we went together.

1289. Have you paid Holden that 10 *l.*?—Yes; two or three years.

1290. Was anything said about that 10 *l.* he had lent you?—No; he says, "Come on, Bellman; I have been a friend to you, and I will be again, boy; if you want to borrow 5 *l.* you can have it;" I said, "I want nothing."

1291. When was that said, when you had hold of his arm?—It might be before we went out of the house, in the passage.

1292. Was that before he had asked you for your vote, or after?—I think that was after we was in the parlour.

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1293. You did not tell me at first what Holden said to you; I want to know when Holden came to your house what he said to you first?—"Come out, old boy, we are going to vote; which way are you going to vote?" I says, "I am going for Hardcastle;" he says, "So am I; come along; I have been a friend to you before, I will be again;" he didn't say anything about 10 *l.* then.

1294. What did some one say when he said he would be a friend again to you; some one said something, tell us what it was; was it one of your party, one of the six or eight who had been lunching together?—I do not think it was.

1295. What was his name?—I heard some one; Tom Potts said so.

1296. Gutteridge, that was the name?—That was afterwards.

1297. Tell us what passed when he said he had been a friend to you, and would be again if you wanted anything; what did some one say?—That is what I heard old Tom Gutteridge say.

1298. You were going to tell me something that one of the party said about it; had 5 *l.* been mentioned?—I should say John Holden never said what he had lent.

1299. John Holden mentioned this to you, and some one made an observation?—Tom Gutteridge.

1300. When Gutteridge said something, what did you reply?—I said I knew he had before. He lent me some money about five years ago, or six. I paid it him.

1301. You fancy that you paid him?—I know I did. I paid him before. I paid him more than a year and a half ago, when I left the Mutton; so that he was satisfied.

1302. Do you know Robert Last?—Yes.

1303. Did you see him on the morning of the election?—Yes, we were there altogether. He and me agreed both to go one way; if he voted for Hardcastle, I said I would.

1304. Had you any conversation with Robert Last about your vote, any further than what you have told us?—Before that time we was laughing together; he said he had a 10 *l.* note he could show; it was a blank note, I think they told me; I am no scholar, I could not read it.

1305. He showed you something like a 10 *l.* note?—I said, "Have not you got some money?" He showed me a bank note; he was laughing and joking about it; that was several days before then.

1306. I ask you, on the day of election, shortly before the polling, did you see Robert Last?—Yes, we were all in the public-house together, having some beer.

1307. You saw Robert Last?—Yes.

1308. Did you and he have some conversation about your vote?—Yes.

1309. Tell us what you said?—I told him I should vote which way he did.

1310. Do you mean, if he voted for Mr. Oakes, you would vote for Mr. Oakes?—Yes, that was what we agreed upon all the time.

1311. How long before you went up and polled with him?—Two hours; we was a drinking there; I do not know how long; we had a pot apiece round, six of us.

1312. What did Last say to you?—He said he should vote for Hardcastle. John Holden said he should too. Then I said, "We are all going up together, and all going for Hardcastle."

1313. Were you at the Cross Keys beer-house with Last?—I have been there a good many times.

1314. On the day of the election?—No, I was not.

1315. On the day of polling?—No, and not the day before. I serve him with ginger beer, and I go two or three times a week. I had not been there that day, and not the day before.

1316. Did you go with Last to the Fleece public-house at any time during the election?—Yes, we went the same day of the election; yes.

1317. That was after voting, was not it?—Yes.

1318. After voting you went to the Fleece with Last?—Yes.

1319. When you got to the Fleece, was there some conversation between Last and yourself about your voting?—I told him how I voted, and he says, "Why didn't you give Hardcastle a plumper?"

1320. What

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1320. What else passed between you?—I told him I had given Mr. Hardcastle a vote; split my vote with Earl Jermyn.

1321. What else passed?—John Holden stood a pot of beer. We had another pint, and we paid for it.

1322. You paid for it yourself?—Yes.

1323. How came Last to ask you about your having plumped or not for Mr. Hardcastle, if he went up with you to the poll?—We all went together, within two or three yards of each other.

1324. You did not plump for Mr. Hardcastle?—No, I did not. I voted for Lord Jermyn and Mr. Hardcastle.

1325. When you went back to the Fleece, did you ask Last for anything?—No, I did not, and he never gave me nothing.

1326. Do you know where Mr. Hardcastle's committee-room was?—I never went into it. No, I do not.

1327. You do not know where it was?—They told me it was in Chequer-square.

1328. Who told you that?—Several people.

1329. Did Last tell you that?—No.

1330. Did he ask you to go with him?—No.

1331. Do you recollect saying anything to Last?—I asked him if he got anything; he said "No."

1332. What?—Money, I expect.

1333. You asked Last if he got any money?—He said "No."

1334. How came you to ask Last if he had got any money?—He kept laughing about it, and said what he wanted to go to the committee for.

1335. What else?—I thought perhaps he had got some.

1336. What did Last tell you?—He said he got nothing.

1337. You asked Last if he got nothing?—Yes.

1338. What did he say?—No.

1339. What did he say more?—He said no more about it.

1340. Have you since that ever asked Last anything more about whether he was to have anything for voting?—No; I never asked him any more.

1341. Have you never asked him since that time at the Fleece?—No, not about anything of that sort.

1342. Have you ever spoken to Last about any money?—No, only that time when we were laughing and talking about, when he showed me that piece of paper.

1343. Since that time?—No.

1344. Never?—No.

1345. Do you know a man by the name of Frederick Clark, your landlord; did he ever ask you for your vote?—The landlord's son I know; he never asked me; he does not give a vote.

1346. Did Frederick Clark ever ask you to vote for Mr. Hardcastle?—No, he did not ask me to vote for him.

1347. Did Frederick Clark never ask you to vote for Mr. Hardcastle?—No; he asked me who I was going to vote for; I said, "Mr. Hardcastle."

1348. When was that?—The week before, perhaps, that day; I do not know; he had a week before, I know, laughed and talked about it.

1349. A week before?—More than that.

1350. Have you seen Mr. Collins lately about this?—I see him about three or four days ago.

1351. Did you make any statement to him?—He asked me whether I was going up; I said I had got a paper that said I was to go.

1352. Did you make a statement to him?—About what?

1353. Did you make any statement to him; did you tell him what you were coming to say, or anything of that sort?—I told him I had nothing to say.

1354. Was your evidence taken down; was anything written down of what you were going to say?—Not by him there was not; I do not know that there were; I never said anything.

1355. Did he say anything to you about your evidence?—Who?

1356. Mr. Collins.—Yes, he asked me what I was going up for?—I told him I was going to hear about this here job, and I had never had nothing, and I did not know what I was going to be pulled up for.

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1357. Did you see Mr. Collins more than once about this?—I see him several times.

1358. Did you go to him, or did he come to you?—He came to my house.

1359. How many times lately has he been to you?—Once or twice; twice I think.

Cross-examined by Mr. *Hawkins.*

1360. There was nothing to pull you up for?—I thought not.

1361. I believe you are a sausage-maker?—Yes.

1362. You say you were always on the Yellow side?—Yes; I lived in the country before.

1363. You say that your wife said she thought you were going to give Mr. Hardcastle a vote?—Yes.

1364. You say Mr. Hardcastle made some observation; was what he said this, "I am canvassing;" and laughed, and went away?—"Do not talk to me now, I am canvassing." "Very well," says I; "Good day."

1365. And he smiled, and went away?—Yes.

1366. I dare say most of them smiled when they called upon you for your vote?—I think they did.

1367. Did you see any of Mr. Oakes' party?—Yes.

1368. Did you say anything to him?—He asked me whether I had promised my vote; I said I had seen Mr. Hardcastle; I always was on the Yellow side; I told him I did not know which side I should be yet.

1369. You told Mr. Oakes that you would not say which side you would be yet?—Yes.

1370. Did he smile?—Yes.

1371. What did he say?—He did not say much; he asked me where had lived, and I told him.

1372. Do you know that the mayor is a great supporter of Mr. Oakes; the mayor of Bury?—Yes.

1373. Do you know Mr. Buckingham, the butcher, a relation of the mayor, his brother-in-law?—I know him right well.

1374. Did he come to you before the election?—Yes.

1375. Did he ask you for your vote?—Yes.

1376. Did you tell him that you should want 20 *l.*?—He asked me how much I should want if I gave a vote.

1377. Did Mr. Buckingham tell you that he had been told to call by a gentleman who dealt in iron, that was the mayor?—Yes.

1378. Do you know Mr. Frederick Brown?—Yes.

1379. What is Mr. Frederick Brown?—A bootmaker.

1380. Which side was he?—I believe he is the Blue side.

1381. Mr. Oakes' party?—Yes.

1382. Were you had down to Mr. Frederick Brown's upon this matter?—Yes.

1383. When was that?—I do not know how long ago; three weeks or more.

1384. I believe they tried to wash it out of you with a drop of brandy and water?—Yes, a little drop of the dear creetur.

1385. How long were you with Mr. Brown?—Half an hour, or three quarters.

1386. Was there any lawyer there?—Mr. Ion, the lawyer, was there.

1387. That is the solicitor for the petitioner?—Yes.

1388. So that there was you and Mr. Brown, the shoemaker, and Mr. Ion, the lawyer, having brandy and water, and talking about this matter; is that so?—Yes.

1389. I dare say they suggested a good many things to you?—They asked me a few questions.

1390. And told you a few things that had happened?—Yes; they told me about this job, and they asked if I had any rum, and I told them I had half a quartern.

1391. Did they say anything about this 10 *l.* to you?—They asked me if I had any money; I said no.

1392. That

W. Bellman.

9 July 1857.

1392. That was the fact?—Yes, that was the truth; not a farthing.

1393. About this 10 *l.* which you had of Holden; you said there was this conversation; he took hold of your arm and he said, "If you wanted to borrow a 5 *l.* or 10 *l.* note you can have it; come along, old boy"?—He said, "I have been a friend to you before, and I will be again; if you want a 5 *l.* note I should not mind letting you have it."

1394. Before he said that, had somebody made the remark that he had before lent you money in his presence?—Yes; Gutterage.

1395. Some five or six years ago?—Yes.

1396. After that was said he said, "I have been a friend to you"?—"I have been a friend to you before, and I will be again;" I said I wanted nothing.

1397. Did you say you did not want anything of the sort?—Not now.

1398. You did not want to borrow anything then?—No, I did not.

1399. You said that Last showed you something that looked like a 10 *l.* note?—Yes; one of those blank notes.

1400. One of the flash notes?—Yes; one of the flash notes, what they have at those tea-shops.

1401. It was one of those tea-shop notes?—Yes.

1402. One of the bank of elegance?—Yes; he told me that was one he had had gave to him; I spoke to him a day or two after, and he said it was only one of those blank notes; I heard it from Mrs. Ellis.

Re-examined by Mr. *Rodwell.*

1403. You say you spoke to him a day or two afterwards; what was said?—I said, "Where is this 10 *l.* note?" "Well, boy," he said, "that was only a blank note." I said, "I heard Mrs. Ellis say so, where I buy my meat." I asked her whether he had any money; she said it was only a blank note.

1404. You did not know what it was?—I am no scholar; he just showed me the number.

1405. Did you take it to be a good note?—I thought perhaps it might; I did not know; he told me he had one given him, and I thought it was a good one.

1406. Was that the time he asked you if you had any money?—He told me he had 10 *l.*

1407. And then you asked him again?—He said no.

1408. About Gutteridge saying that Holden had been a friend to you; was that before anything had been said by Holden about being a friend to you?—He was in the passage when Holden said so that day; we were going up to vote then; and he laughed at me a day or two after; he said, "Holden had to buy you." I says, "Why?" He says, "I hear him say he lent you 10 *l.*" I said, "I know he did." That is five or six years ago.

1409. It is not, as my learned friend put it, that Gutteridge spoke about Holden being a friend to you, till Holden had said that he would be a friend to you?—When we came out of the parlour; we all came out about half-past 12.

1410. My learned friend has asked you about Mr. Oakes, whether, when he canvassed you, you promised him and his party as much as you promised Mr. Holdcastle and his party?—I did not say that I would give him a vote; I told him I was rather inclined to the Yellow side.

Examined by the *Committee.*

1411. You said that you were always on the Yellow side?—Yes.

1412. In 1852?—About 17 years ago.

1413. At the election of 1852 did you vote for a member; were not you on the register in 1852?—About 17 years ago.

1414. At the election before the last were you a voter?—No.

[The Witness was directed to withdraw.

Mr. *Hawkins* stated that it was usual to have a list of the cases in which undue influence had been exercised, but that at present he had not been supplied with such a list.

[Adjourned till To-morrow, at Eleven o'clock.

Veneris, 10° *die Julii*, 1857.

The Names of the Members were called over;—All present.

WILLIAM HARDY, Esq, IN THE CHAIR.

Mr. *Atkinson* stated that he had an objection to make to the treating list, on the ground that the names of eleven places were given, and the times were put between the 16th of March and the 2d of April, without specifying the particular time at which the alleged treating took place. He submitted that the list ought to be amended, so as to afford the agents for the Sitting Member an opportunity of making inquiry into the cases.

Mr. *Quain* stated that the fortnight during the election was given, and that it was impossible to specify the precise times of the day at which the treating took place.

The *Chairman* stated that the Committee did not feel that they were in a position to give any decision upon the subject, inasmuch as no special objection was raised.

Henry Smith was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

Henry Smith.
10 July 1857.

1415. YOU are a Blacksmith, living at Bury St. Edmund's, I believe?—Yes.

1416. Do you know a person of the name of John Holden?—Yes.

1417. What is he?—A grocer.

1418. Do you know whether he took an active part in the last election; did you observe?—He did in some measure; not very much.

1419. On which side?—Not engaged particularly in any active part; merely among his friends.

1420. On which side did he act?—He was a Liberal.

1421. A week or ten days before the election do you remember seeing him anywhere?—Yes, I saw him at the George.

1422. Where is the George; what street?—About 40 rods from my house, and the same from Mr. Holden's house; it might be 50 rod; it is very near.

1423. What was he doing at the George when you saw him?—He was in the room.

1424. What was he doing or saying?—He was in the room when I went in, an he had some beer in the room, and he said to me—he says, says he——

Mr. *Atkinson* inquired if this was a case of bribery.

Mr. *Quain* stated that Holden was treated as a party bribing Bellman, and that it was a part of Bellman's case.

1425. Mr. *Quain.*] Tell us what you saw Holden doing or saying at the George?—When I went into the George room Mr. Holden was there having some beer, and he said, says he, "Smith, though you are an old Tory," he says, "I have got some electioneering beer; will not you have a drink with me?" I says, "Certainly I will," and I took some and drank.

1426. Did you see whether he had any money in his hand?—As soon as I drank, a few minutes after he had some loose silver in his hand, and he took it in this way and shaked it, and says, "There's 15*s.* more of electioneering money I have to spend."

Cross-examined by Mr. *Atkinson.*

1427. Is that all?—Yes.

[The Witness was directed to withdraw.

William Bellman was called in; and, having been sworn, was further Examined by the *Committee*, as follows:

William Bellman.

10 July 1857.

1428. DO you know Henry James?—No; I see him when I came out; I was told he was there; I never saw him before.

1429. You never saw him before?—No, I did not know him; I asked people what his name was.

1430. Did you ever have any conversation with him without knowing his name?—Not as I know on; I am on my oath, I do not know that I ever see him till yesterday; up to yesterday I did not know the man; they told me, and says I, "What, is that James that spoke to Mr. Hardcastle; he says, "that is he."

1431. Did you ever say to any person you did not know at Bury that you would not vote unless you had 20*l.*?—I never said nothing that I would not vote; I should like 20, I said; I never said nothing about pounds; that I believe I did say to a man who comed and asked.

1432. Who was that?—Mr. Buckingham; Mr. Ion sent him; he says, "I think you might get that, I think, very well." I never see it not yet.

1433. Do you remember asking any one what he had for his vote in 1852?—No.

1434. Nobody?—No.

1435. Did you ever ask any one?—No, I did not; I did not know any one particular; I heard some say, four years ago, some people had some money; I did not; I did not give a vote.

1436. How came you to use that expression; you said you would like 20; how came you to say that?—Because I heard other people talking about it, and they said they should like to get some tin if they could.

1437. What made you make that remark; what other people have said that, can you remember?—I thought I had as much right, if I could get anything, as anybody else.

1438. Had you heard anybody say that?—I did not hear anybody say that; they thought there would be some.

1439. What made you fix upon 20*l.*?—I do not know; I should have taken that if anybody had given it, I dare say, but I did not have the chance.

1440. Did any one canvass you for your vote for Mr. Oakes?—Mr. Oakes came down himself.

1441. Did any other person, do you recollect; do you know John Clark?—What Clark; tailor Clark?

1442. Yes.—I know him.

1443. Did he canvass you?—He came down and asked me who I was going to vote for.

1444. More than once?—I do not think he came more than once; I have seen him in the town; I told him I should vote for the yellows, as I always was that side.

1445. Mr. *Atkinson.*] Was Mr. Buckingham canvassing you for Mr. Oakes?—I suppose so; Mr. Ion sent him, he said; he did not say nothing about Mr. Oakes. I do not know whether he was a yellow, or a white, or a black; I did not know which side he was, I am sure.

[The Witness was directed to withdraw.

Frederick Baxter was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

Frederick Baxter.

1446. YOU formerly lived at St. Andrews-street, Bury?—I did.

1447. Where did you reside at the time of the last Bury election?—In London.

1448. Do you recollect, shortly before the last election, any gentleman calling upon you, or any person calling upon you, with reference to the election?—I do.

1449. How long before the election was it, about?—About a week, as near as I can tell; I did not take particular notice; about a week; I should say it was a week. I think it was on a Friday night or Saturday night; I could not say exactly which.

1450. Had you any conversation with him about the way you were going to vote?—

Frederick Baxter.

10 July 1857.

vote?—No, I had not; I had not seen the gentleman, only he called at my lodgings.

1451. Did he call again?—He did.

1452. On the second time, how long was it?—I think it was on the Monday; I will not be positive as to the date; I think it was on a Monday.

1453. Did you see him the second time he called?—I did not.

1454. Did you see him at all before the election?—I did, twice.

1455. When was the first time you saw him?—I think it was the Tuesday, but I am not sure as to the day; it was the Tuesday or the Wednesday; I could not speak as to the day. I think it was the Wednesday night, at the Fountain and Star, in King-street, where he made an appointment to meet me; it is just against Guildhall.

1456. How was that appointment made?—He told me he wished to see me; I went down and met him; that is, an appointment at seven o'clock in the evening; I think it is Lawrence-lane, King-street, just by the Guildhall; I am not acquainted with the name of the street; it is just close to Lord John Russell's committee-room; I recollect the time very well.

1457. Now, just tell us what took place between you when you got to the Fountain Inn?—He says to me, "Are you Mr. Baxter, from Bury?" I says, "Yes, I am." "I think you have a vote for Bury?" I says, "I have, sir." "Do you intend going to vote?" "Certainly, I do." "And for whom?" "Well," I said, "I do not know exactly yet." I said, "I have always voted the yellow way."

1458. What do you mean by the yellow way?—

Mr. *Atkinson* objected to the question.

The *Chairman* said that the Committee could hardly interpose in a case of bribery.

1459. Mr. *Quain.*] What do you mean by the yellow way?—I always voted for the Tories; I always voted for the Conservative interest. He says to me, "Mr. Hardcastle, I think you know Mr. Hardcastle?" "Yes, I do, very well." He says, "He is a nice gentleman;" "Yes; so far, is a pleasant gentleman; I respect Mr. Hardcastle, but," I says, "his views are different to mine;" and he said, "Well, I should like to see him returned." I said, "It is all very well, no doubt." He said, "You are not in such good circumstances as you was;" I said, "No, I am not." He said, "Well, so far as the expenses going down, you can have them, if that is any obstacle." I said I should not go without. He said, "If the expenses you get are not sufficient, you will get some more when you get to Bury." Then we left, and he says, "I will meet you again on the Friday night.

1460. At the same place?—Yes; that is how we left.

1461. On the Friday night did you see him again?—On the Friday night, according to appointment, at seven o'clock, I saw him again.

1462. What took place?—On the Friday night he said, "You are quite to your appointment;" and I said, "Yes, I am."

1463. Go on, and tell us what took place?—He says, "You mean to go down to-morrow to vote." "Yes, I do," I said; I did not tell him for whom; "I shall certainly go down and vote." He says, "I wish Mr. Hardcastle would win," and he called me outside and gave me two sovereigns. When he gave me that, the last words he said to me was, "You will go down and vote;" I says, "I shall;" but I did not say for whom. I says, "I shall certainly go down and vote." He said, "You will go down by the first train on Saturday morning," and I said, "Yes, I should."

1464. Was that all that occurred?—That was all that occurred, and he gave me two sovereigns.

1465. Do you recollect seeing the same person at the last election in 1852?—I fancied I had seen him, but I am not able to swear to the man; I should know him in a minute if I were to see him.

1466. Do you think it was the same person that you saw in 1852 or not; about the 1852 election or not?—I believe I have seen the gentleman many a time, though I do not know his name.

1467. In whose company did you see him on the former occasion?—I fancied that I have seen him out with Mr. Le Grice, but I could not say it is the same stature

stature gentleman I have seen out with Mr. Le Grice; but I could not swear it was the same man. *Frederick Baxter.*

10 July 1857.

1468. Who canvassed you on the former election in 1852 for Mr. Hardcastle? —I had many canvassers; Mr. Clark called upon me.

Mr. *Atkinson* objected to the circumstance of the election of 1852 being gone into.

Witness.] I would not swear that was the gentleman I had seen; I fancy it was the same; I do not know the name of the gentleman.

1469. Did you see him alone, or in the presence of other people, or with other people?—When do you mean?

1470. On the former election.—I have not; I fancy it was the same gentleman I have seen hunting with Mr. Le Grice with his hounds.

1471. Was he with any one else?—Not to my knowledge; he sent a boy with a note to me, to go to his house; I did not go. That was on Tuesday; I can recollect the day very well about that; and the boy was to take me with him.

1472. Have you got that note?—I have not, I destroyed it; I did not think anything about it; it was merely to say "I shall be most happy to see you." If I had thought the thing of any consequence, I should have kept the note.

1473. Before the election, did you receive a letter from Mr. James William Clark?—I did.

1474. Just look at that, and tell me if that is the letter (*handing a paper to the Witness*)?—That is the letter I received from Mr. Clark.

[*The same was read, as follows,*]:

Whiting-street, Bury St. Edmund's,
25 March 1857.

Dear Fred,

Mr. Hardcastle's committee request me to inform you that they shall feel most happy to pay your expenses in coming to vote for that gentleman on Saturday next, 28th instant; polling commences at eight o'clock; send word at what time we may expect you.

Accept my kind thanks for the news of the city election.

From yours, very sincerely,
J. W. Clark.

Mr. F. Baxter.

P. S.—Hardcastle wins this time, without a doubt.

J. W. C.

1475. You knew Clark before?—He was an intimate friend of mine; at least, we had been friends together in the town; I consider he is a friend; when I say a friend, so far as we having been meeting together in company.

1476. Did you answer that letter?—On the 25th, I think, I might answer it. I do not know what day the election was; tell me what day the election was.

1477. Just consider whether you answered it or not?—I believe I did answer it; I said I should be down in Bury at a certain time, at the station.

1478. Did you go down to Bury on the morning of the election?—Yes.

1479. There was a circular besides?—Yes; the circular was quite different to that. What induced me to write to Mr. Clark was, through this gentleman coming to me so many times. He told me it would be a close push; that is what induced me; else I should not have written to Mr. Clark at all. I have a copy of Mr. Ion's letter, just saying that the election would take place. It is the same purport as Mr. Ion's first letter was.

1480. This gentleman told you it would be a close push?—He told me it would be a close push; of course that was his opinion.

1481. On the morning of the election did you go down to Bury?—I did.

1482. Did you go by the first train?—I could not get there in time. Whether it was the first or second I cannot say; but I got there between twelve and one. I think it was between twelve and one; I cannot say exactly what hour.

1483. Can you tell us what fare you paid going to Bury?—I did not pay any.

1484. Whom did you go with?—Two or three friends went down to the election, and I have not settled with them.

1485. And they paid the fare?—I did not pay any; they paid.

1486. When you got to the station at Bury——?—It was a friend of mine; he says, says he, "that is all right."

1487. When you got to the station at Bury were you met by anybody?—I saw several.

Frederick Baxter.

10 July 1857.

1488. Were you met by anybody connected with the election?—I saw my friend Mr. J. W. Clark. I do not think I saw Mr. Collins. I understood Mr. Collins had been there.

1489. Never mind what you understood. What passed between you and Mr. James William Clark when you saw him?—Nothing passed between us. I jumped into a wrong cab; I jumped into his cab.

1490. You jumped into J. W. Clark's cab?—I did not know which it was in the confusion.

1491. Did you find out your mistake and get into another cab?—I did.

1492. Did not J. W. Clark speak to you?—I think he said—I will not swear he said—"That is the wrong one," when I got out of it. When I got out to get into another one, I think he said, "That is the wrong one." I will not swear in the excitement of the moment; I could not, with all the bustle at the station.

1493. Were you invited to go into the cab by Clark?—I had no invite at all for either of the cabs. I ran down the stairs, because I knew the station very well, and I was not invited by either parties, not to take any particular cab; not till I had seated myself; then I returned again, and went into the other one.

1494. Who went with you down stairs?—It is impossible for me to say exactly, there were so many.

1495. Who accompanied you to the cab?—There were so many, I cannot say exactly; Mr. Davey was one, and Mr. Clark run after me for one, and young Mr. Ridley. I saw him run after me, at least, run into the same cab that I got into.

1496. When you had seated yourself in the cab, what was done?—I got out again.

1497. That is out of the cab you first went into?—Yes, because I found my mistake; that was not the way I intended to vote when I first went down to Bury.

1498. You got into another cab?—I got into one I had always been in the habit of voting for.

1499. You drove where?—To the Six Bells.

1500. At the Six Bells, did you see Mr. Collins?—I did.

1501. Had you had any conversation with Mr. Collins; did he say anything to you?—Not till some time after I had been there I did not see Mr. Collins. I was there a long time. I think it was one o'clock when I got there, and between two and three I went and had some refreshment; and passing from one room to the other, I saw Mr. Collins standing in the passage.

1502. What took place between you and Mr. Collins?—I went up and spoke to Mr. Collins, and said I had seen his agent in London; he says, "I have nothing to do with any agents in London." I said, "That is very strange, sir, this agent said he had a letter he had heard I had written to Mr. Clark." That is all I said to Mr. Collins; that was against the outer door.

1503. Was any allusion made to the note you received?—No further than what I said before; I said, "I saw your agent in London;" he said, "That is no agent of mine; I have nothing at all to do with it." In fact, I would swear what I said to him was, that what this gentleman gave was not sufficient to remunerate me for my expenses.

1504. What did he say to that?—I do not think he made any reply.

1505. Do you recollect any allusion being made to any letter?—By this gentleman I do, up in London.

1506. I mean by Mr. Collins?—I cannot say, no further than this, that he said he did not know anything about the letter. I believe he said that.

1507. Who said that?—Mr. Collins. I believe he said that. He said, "I know nothing at all about it."

1508. What about?—About this agent in London, and about this letter.

1509. Was there any allusion at all to the letter. How came Mr. Collins to allude to the letter?—I said, I received a letter from Clark and the committee, and that is this letter.

1510. You told Mr. Collins you had received that letter?—I told him what I had received from this gentleman was not sufficient for my expenses. I received a letter from J. W. Clark. I supposed that letter to be written from the committee.

1511. What did Mr. Collins say when you alluded to the letter?—He said; he says

says no further than, "It has nothing to do with me. I know nothing about any agent."

1512. Have you seen the gentleman you saw in London since?—I have not. I should know him in a minute, though afterwards I fancied he was a military man; but it is only a fancy. I do not know the gentleman's name; I do not indeed; I wish I did.

1513. Did Mr. Collins say anything about your expenses, when you met him at the Six Bells?—No further than what I have said. He made no allusion to that; no further than what I have stated.

1514. Did Mr. Collins make any allusion to your expenses?—That was all the conversation we had, what I tell you.

1515. Did he or not make any allusion to your expenses, Mr. Collins?—No further than the purport of this letter; I think Mr. Collins said, "As to your expenses, I know nothing at all about it." I do think he said that, when I named about the expenses; I said that was not sufficient. He said, "I know nothing about your expenses, nor yet about your letter, nor yet about the agent." I believe that is about the truth.

1516. What kind of man was this gentleman you saw in London?—He was a short stature, about the same height as yourself, very bushy whiskers; a perfect gentleman. I fancied I had seen him before in appearance.

1517. Were you acquainted with J. W. Clark before this?—For many years I have been acquainted with him.

1518. I believe, amongst other occupations, James William Clark is vice-chairman to the board of guardians for the Bury Workhouse?—I believe he was a guardian. Whether he was vice-chairman or chairman I do not know; he might have been vice-chairman or chairman.

1519. Do you recollect anything passing between you and him about a job at the workhouse?—Yes, quite well.

1520. When was this?—It was last summer time; I know it was some time in the spring.

1521. By the *Committee.*] Spring of this year, or last year, do you mean?—Last year.

1522. Mr. *Quain.*] Just tell us what it was?—Well I had my——

1523. What relates to the election matter?—I will tell you what conversation happened between us when we was having a glass of ale at eleven o'clock. I said, "Well, you might have let me have that job." He said, "Well, old fellow, it was not in my power to let you have it." He says, "Since parties have been for exclusive dealing, we must act in the same way; perhaps you will think better of it if you will vote for Hardcastle the next election, if there should be a chance." I says, "I do not know about that, I am sure: we have been friends together." "When there is another job in my line," he says, "he would think of me." I believe that same thing was taken by Mr. Hunter at the same time; I think Mr. Hunter had the job.

1524. Did he say anything about voting for Mr. Hardcastle at the next election?—He says, "If you had voted for Hardcastle this time, you would have had that job, I dare say, through my interest." That was merely in a private way, you know.

1525. Did he say anything about another election?—That was in last summer; we did not suppose we were to have an election this year.

1526. Did he say how Mr. Hardcastle was to get in at another election?—Yes; he said money would not stop him; he said he had as much money as Mr. Oakes; I said I dare say he had.

1527. Have you seen Mr. Collins lately?—Have I seen Mr. Collins?

1528. Yes; have you spoken to him?—Not till I see him this morning; I think I saw him yesterday; I am not positive; I have seen him to-day.

1529. Did you speak to him?—No, I did not.

The *Chairman* stated that there was an order to keep the witnesses out of the room, and he hoped that no person on behalf of the parties was engaged in taking notes of the evidence, for the purpose of informing the witnesses what evidence was given.

Mr. *Atkinson* stated that no person was so engaged on behalf of the Sitting Member.

Frederick Baxter.

10 July 1857.

1530. Mr. *Quain.*] You have not spoken to Mr. Collins at all, I understand?—No further than at the "Six Bells," I have not, not the least.

1531. Have you seen anybody connected with Mr. Hardcastle's party since the election?—I have seen many.

1532. Spoken to them?—Yes.

1533. Did they call upon you, or you upon them?—I have met them in the lobby; I have not been with any one, only by myself, in the corridor here.

1534. Is that the first time you saw any of them in the corridor?—Yes, yesterday,

1535. Did they speak to you first, or you to them?—I think they said, "How do you do Baxter?" I do not know which spoke first; I cannot say, no further than that they were persons from Bury.

Mr. *Atkinson* objected to the course of the examination, on the ground that it was tending to throw discredit upon the witness.

1536. Mr. *Quain.*] Did they speak to you first, or you to them?—On my oath, I could not say which spoke first.

Cross-examined by Mr. *Atkinson.*

1537. Have you, either directly or indirectly been, in communication with Mr. Collins, or any friends of the sitting Member, upon the subject of this inquiry?—Not any; not upon this inquiry. What induced me to write to Clark was, I fancied there was bribery going on.

1538. Whom did you vote for?—I voted for Mr. Oakes.

Examined by the Committee.

1539. Whom did you go with. I understand you went down with a party from London?—That was another voter who only happened to be there that morning.

1540. You went down independently?—Yes.

1541. Was it another voter who paid your expenses down?—No; a friend of mine.

1542. Was it any one connected with Bury?—Not in the least; living in London.

1543. Some one went down to see the election; not a voter of Bury?—Yes; merely a friend, and through interest; nothing to do with the election.

1544. If your expenses were paid going down, what made you tell Mr. Collins that the 2 *l.* you had received was not sufficient remuneration for your expenses, if your expenses had been paid already; you say your railway fare was paid?—A friend of mine paid the expenses to go down and vote for Hardcastle. I said I should vote.

1545. You received 2 *l.* from the stranger, and you say your fare was paid by a friend?—I had perhaps no silver "there," he said, "I will pay your fare."

1546. What made you say 2 *l.* was not sufficient remuneration?—Lost time; I had lost two or three evenings to see this gentleman; he had been several times after me, and told me it was a close push.

1547. Had you been interrupted in your work in London?—Yes; and I lost two or three situations through it, through neglect of time.

1548. Mr. *Quain* (*through the Committee.*) You say you had a letter from this gentleman?—Only a note. "He should be most happy to meet me at the Fountain and the Star that evening."

1549. Was any name signed to it?—No; a little boy came with it. I was to go to a certain house.

1550. Did he mention his name?—He was very reserved about his name; likewise the place.

1551. What was the letter?—"Dear sir, I shall be most happy to meet you in company with the boy." The boy said I was to go with him.

1552. Was no name signed at all?—No.

1553. You do not know anything of his name?—I do not know his name; I wish I did.

1554. Have you inquired at the Fountain?—I have; but they did not know; I have made every inquiry, in fact, that I could in the way I have done.

1555. I understand you met him there twice?—Yes.

1556. You

1556. You think you had seen him before about the neighbourhood of Bury?—Yes, I fancy so; I could not swear to the gentleman. *Frederick Baxter.* 10 July 1857.

1557. You think so, to the best of your recollection?—He told me he was an intimate friend of Mr. Hardcastle; he said he should like to see him get in, and he hoped he would; he told me that distinctly; from the postcript of this letter, "Hardcastle wins this time without a doubt," I fancied there was something going on.

[The Witness was directed to withdraw.

Edward Braybrooke was called in; and, having been sworn, was Examined as follows:

1558. Mr. *Atkinson.*] WERE you in this room yesterday?—I came in and stopped about two minutes before I knew anything about it. *E. Braybrooke.*

1559. You were in the room?—Yes, two minutes.

1560. Mr. *Quain.*] Who asked you to come into the room?—Two or three sitting outside said, "You go in." When I came they asked whether I was a witness.

1561. Were not you turned out almost immediately?—I was turned out almost immediately.

1562. Mr. *Atkinson.*] Did you see the notice on the door?—No, not till I went out.

1563. By the *Committee.*] Who was under examination?—I think Mr. James was under cross-examination at the time.

The *Chairman* intimated that the examination of the witness might be proceeded with.

1564. Mr. *Quain.*] Were you one of the messengers at the last election?—Yes.

1565. On which side were you a messenger?—Mr. Hardcastle's.

1566. Were you paid as a messenger?—Yes.

1567. How much did you get?—Ten shillings.

1568. Who paid you?—Mr. Last.

1569. Mr. Robert Mason Last, I suppose that is?—He is Mr. Le Grice's clerk; I am sure I do not know his name.

1570. Are you John Braybrooke?—No.

1571. Do you recollect getting a message from James William Clark shortly before the election?—Yes.

1572. In consequence of that message did you go to the "Woolpack"?—Yes.

1573. And met Mr. James William Clark?—Yes.

1574. How long before the election was this?—About eight or nine days.

1575. What passed between you and James William Clark upon that occasion?—He asked me which way my father and brother was going to vote.

1576. Go on.—I told him I did not think either of them would vote for Mr. Hardcastle till my brother was settled up for the last election.

1577. What did Mr. Clark say to that?—He asked me what I meant by that answer; I told him he was promised 15*l.* if he would vote for Mr. Hardcastle at the last election.

1578. Did you say who promised it?—He asked me who promised it.

1579. What did you say to that?—I told him Mr. Barnes.

1580. Did you say to whom Mr. Barnes promised it?—To me myself.

1581. What did Clark say to that?—He asked me where I was when he promised it, and I told him it was up in the "Woolpack" room.

1582. When Mr. Barnes promised you?—Yes.

1583. What did you say then?—He asked me whether I thought they would vote for Mr. Hardcastle if that was made all right; I told him Yes, I thought they would.

1584. What did Clark say then?—He told me that neither my brother nor I should not want to say anything to any one else; that would be all right; we should hear a little bird whisper.

1585. Did he make any allusion to the committee?—Yes; he said he should go to the committee, and he had no doubt that would be all right.

1586. After that what did he say next?—I think that is all.

 1587. Did

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1587. Did you say anything about bribery?—He asked me if we got it how we should order it, for if he gave it my brother they would say it was bribery.

1588. What did you say to that?—He told me they could give it to me; he said that would be all right; I told him "Yes."

1589. Was that all that occurred, or do you recollect anything else?—No, I cannot remember anything else that passed.

1590. Do you recollect on the night of the nomination being down at the committee-room?—Yes.

1591. And having any conversation with Mr. Collins; did you see Mr. Collins?—Yes.

1592. Where was that?—That was at the committee.

1593. Where was that?—In the hall; in the passage leading to the committee-room.

1594. In the Chequer-square?—Yes.

1595. Tell us what passed between you and Mr. Collins; did Mr. Collins ask you anything about who your father was going to vote for?—Mr. Collins asked me if I knew whether my father had made up his mind how he was going to vote; I told him I did not know.

1596. Was anything said to Mr. Burrows?—I told Mr. Collins that I left Mr. Burrows down at my father's. I told him I left Mr. Burrows down at my father's; Mr. Collins said "That is all right."

1597. What Mr. Burrows?—At the "Fox."

1598. The landlord of the "Fox"?—Yes.

1599. Was anything else said; did he say anything else about your father?—Nothing else about my father. He asked me whether my brother was going to vote, and I told him that I did not know. He says, "Tell your brother to mind he does not make a fool of himself."

1600. On the Monday after the election, did you go down to the committee-room to be paid with the other messengers?—Yes.

1601. Who paid you?—Mr. Last.

1602. Who was in the room besides Mr. Last, when you were paid?—There was Mr. Collins, Mr. Graves, and Mr. Barnes's clerk. I think they said it was the one that had the managing.

1603. Was Mr. Leech there at all?—Not that day.

1604. Did Mr. Leech give you any orders at all connected with the election?—No.

1605. He did not pay you anything at all?—No.

1606. Nor any other messengers in your presence; Mr. Leech did not pay any of those?—No.

1607. You live close to Scates, I believe, do not you?—Yes.

1608. Do you recollect seeing him on the Wednesday morning before you started for London?—Yes.

1609. Scates was always one of Mr. Hardcastle's messengers, was he not?—Yes.

1610. You had some conversation with Scates about this inquiry, had you not?—We was laughing about it at that place.

Cross-examined by Mr. *Atkinson.*

1611. I suppose you got the 15*l.*, did not you?—No.

1612. Have you applied by an attorney or in any other way for payment of it?—No; never applied for it.

1613. Did not it cross your mind that having had this promise made to you, it would be very desirable to have a bird in the hand?—He said we was not to trouble our heads any more about it. I should hear a little bird whisper.

1614. You have been listening for the whisper ever since, have you not?—Yes.

1615. The whisper has never become audible?—No.

1616. Perhaps you give up all hope of the whisper, it will never become a voice?—I dare say it would not never come now.

1617. Are you looking for the whisper in another quarter?—No, I am not.

1618. Was any body present when this offer was made, any of the parties you have mentioned?—No.

1619. Just

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1619. Just be good enough to favour the Committee with the day that it was made?—I cannot tell on what day of the month.

1620. If you do not know the day of the month, the day of the week will serve my purpose, let us take the day of the election; how many days was it before the day of election?—About Thursday week before the election, as far as I can tell.

1621. What makes you fix upon Thursday week?—Because I was at work down in the meadows when Mr. James came down for me.

1622. Was any body working with you?—Yes.

1623. Who?—One of my relations.

1624. What is his name?—His name is Henry Braybrook.

1625. Is he a witness here?—No.

1626. Were you and he working in the meadows together?—Yes.

1627. Did you leave him?—Yes.

1628. Where did you go to?—To the "Woolpack."

1629. Did any body see you go into the "Woolpack?"—Yes; Mr. James and Mr. Scates were there, the two had come after me.

1630. Was any body serving at the bar?—There was somebody serving at the bar.

1631. Who was it?—I cannot tell.

1632. Was it a woman or a man?—A woman.

1633. Was this the very day the offer was made to you in this place?—Yes.

1634. Be particular, do you know the woman's name?—I thought it was the landlady, Mrs. Cornish, the one that I expected. I did not take any notice.

1635. The person you saw, Mrs. Cornish, she was at her bar, and saw you come in with James?—I do not know whether she saw me come in.

1636. Did you pass by her?—I turned by before they got out into the bar door, into a room.

1637. Was there anybody in that room?—No, only Mr. Clark and me.

1638. Do you think anybody could see you go in that room, that was there?—I do not know; the servant brought a pint of porter in.

1639. What is her name?—I am sure I do not know; that is a house I do not use myself to go into.

1640. Then there was no one there when the conversation took place between you and this man?—That was all that was there.

1641. You say that Mr. Barnes made you a promise of 15 *l.* at the last election?—Yes.

1642. Do you know that gentleman?—Yes.

1643. When you see him?—I think I do.

1644. Is he here?—That is the gentleman.

1645. You will be good enough to give me particulars where he made that promise?—Up in the "Woolpack" room.

1646. The same room?—No, this was up in the large room.

1647. Who was present?—There was several in the room, up in the room.

1648. Who was present?—I cannot say, for that is so long ago.

1649. Did anybody hear that?—No, I do not think anybody heard the conversation that passed.

1650. Was the promise made loud enough so that parties might hear?—No.

1651. Was it a little bird whispering?—It was a whisper.

1652. Before those people, Mr. Barnes took and whispered in your ear did he?—There were not no one nigh Mr. Barnes and me.

1653. Did he whisper in your ear?—He was sitting at the desk, writing.

1654. In the presence of those people he whispered to you; what did he whisper?—There was a man coming down in the room, and asked me which way my brother was going to vote; I told him I did not know; I did not expect he would vote for either side till he got something for it.

1655. That was in 1852, when you say Mr. Barnes made this promise to you?—Yes.

1656. That promise was never realised, you say; you never got that money?—No.

1657. Did you ever apply for it?—I have never applied for it; I believe my brother did two or three times.

1658. Did you ever apply for it?—No.

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1659. You being in the room at the "Woolpack," upstairs; do you recollect the day it was upon?—I do not; it was the nomination night.

1660. What time in the night was it?—It was evening time, about five o'clock, I should think.

1661. What month was it in?—I am sure I do not know what month it was in.

1662. You say that you were employed as a messenger?—Yes.

1663. How many days were you employed?—Two days.

1664. And you got 10 *s.* for your two days' work?—Yes.

1665. What are you?—A basket-maker.

1666. What can you earn by your basket-making?—That depends upon what sort of work we are upon.

1667. I am speaking now of the average?—About 2 *s.* 6 *d.* or 3 *s.* a-day, according to the work.

1668. I suppose sometimes 3 *s.* or 4 *s.*, according to the work; it was an advantage to you; you had the difference between what you could earn at basket making and 5 *s.*?—Yes.

1669. Are you a voter?—No.

Re-examined by Mr. *Quain*.

1670. The day you went to the "Woolpack," I understood you to say you turned in before you got to the bar?—Yes.

1671. Turned into the room?—Yes.

1672. Might you have turned into the room without a person at the bar seeing you?—Yes.

1673. Are you certain or doubtful whether Mrs. Cornish was at the bar, or not, at the time?—There was some one sat there at the bar; we rang the bell and the servant brought a pint of porter, and Mr. Clark paid for it.

Examined by the *Committee*.

1674. Have you made any application for the 15*l.* that was promised you?—No; he told me I should not want to trouble my head till I heard a bird whisper, so we did not ask.

1675. You never have made any application?—No.

1676. Nor your brother, as far as you know?—Nor my brother, as far as I know.

[The Witness was directed to withdraw,

Joseph Braybrook was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

Joseph Braybrook.

1677. YOU live at Bury St. Edmund's?—Yes.

1678. And are voter?—Yes.

1679. Whom did you vote for, if you voted at the last election?—Mr. Hardcastle.

1680. Do you recollect being canvassed by Mr. Hardcastle before the election?—Yes.

1681. Who was with him?—No one.

1682. Before Mr. Hardcastle came to you to canvass you, did you see him canvassing in the same street?—Yes.

1683. Who was with him?—Mr. Collins and Mr. Le Grice.

1684. When they came to your house, who came into the house to canvass you?—Mr. Hardcastle.

1685. Alone?—Yes.

1686. Do you live close to your father's; how far do you live from your father's?—The third door from my father's.

1687. Just tell us what Mr. Hardcastle said when he came in?—He says, "Braybrook, I am come to ask you to do me the same you did before."

1688. What did you say to that?—I asked him what that was; he said "Vote for me."

1689. What did you say?—I should not think of voting for him till that affair was settled at the last election.

1690. What

1690. What did Mr. Hardcastle say to that?—He says, "What affair? I know nothing about it; I do not know that I can settle it."

1691. What did you say in answer to that?—I said, "If you ask Mr. Collins or Mr. Barnes they could tell you all about it."

1692. What did Mr. Hardcastle say to that?—He said, "Under any circumstances do not promise Mr. Oakes."

1693. What did you say then;—I said, "Well, they have played a trick with me; mind I do not play a trick with them."

1694. Do you recollect on the nomination night going to your father's house?—Yes.

1695. Did you try to open the door for yourself?—Yes, I did.

1696. Could you open it?—No.

1697. What did you do then?—I went through my own house the back way; I went to get in.

1698. Did you get in the back way?—I opened the door, and went in.

1699. Was your father at home?—Yes.

1700. Who was with him?—Mr. Burrows, the landlord of the "Fox."

1701. Did you shut the door then and hear what was said between Burrows and your father?—I asked my father if he could oblige me with a drop of vinegar; he said he had not got vinegar in the house; I shut the door and waited a minute outside.

1702. Did you hear anything pass between Burrows and your father?—I heard Burrows ask my father; he was talking over; several words passed about Mr. Oakes; my father said, "I have promised to vote for Oakes."

1703. What did Burrows say to that?—He said, "Never mind, come to mine in the morning and take breakfast, and go and vote with the rest of us."

1704. About the 1852 election, were you promised anything for the 1852 election?—Yes.

1705. By whom?—I was promised through my brother.

1706. The promise came through your brother?—Yes.

1707. Did you write to any one upon the subject?—Yes, I wrote to Mr. Barnes.

1708. What did you write to Mr. Barnes for?—For the 15 *l.* that was promised through my brother, by Mr. Barnes, for me.

1709. Did you write more than once?—Yes, I can swear to twice; I think three times.

1710. Did you get any answer from Mr. Barnes?—Not any.

1711. Did your brother tell you anything that had passed between him and James William Clark at the last election?—Yes.

1712. He told you something that passed between him and James William Clark?—Yes.

1713. When did he tell you; was it before the election?—Three or four days before the election.

1714. Did you vote for Mr. Hardcastle?—Yes.

Cross-examined by Mr. *Atkinson.*

1715. What made you put your fingers to your mouth just now when you were speaking of what passed between you and Mr. Hardcastle?—I have a little place that itched.

1716. You did not answer my learned friend at once as to what took place between you when you said, "Under any circumstances he hoped you would not promise Mr. Oakes?"—I answered him as soon as I could recollect the question to speak to the truth.

1717. Was anybody in the house present when Mr. Hardcastle was talking to you?—No, there was not; only him and me.

1718. Was there any one present in the house at all at that time?—Yes, there was; but they was up-stairs.

1719. Who was up-stairs?—My wife, I think.

1720. Anybody else?—Not that I am aware of; they might be, or they might not.

1721. Your wife was up-stairs; just tell us that story again, will you?—Which story do you mean?

1722. Mr. Hardcastle came to you alone, you say?—Yes.

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1723. What did he say to you?—He asked me if I would do the same for him as I did before; I asked him what it was, and he said, "Vote for me." I says, I could not think of voting for him till that affair was settled of last election.

1724. And what said he?—He said, "What affair; I know nothing about it; I do not know that I can settle it."

1725. Anything else that passed between you and Mr. Hardcastle upon that subject?—He said, "Under any circumstances, do not promise Mr. Oakes."

1726. That was all that he said?—That was all I recollect him saying; yes, if he had said anything more, I do not recollect it.

1727. You have given this last time to me, having your memory directed to it, all that passed between you and Mr. Hardcastle?—To the best of my recollection.

1728. To the best of your belief, nothing else passed between you?—If there was, I do not recollect it.

1729. You say that you went to your father's, and went in at the back way?—Yes.

1730. You asked your father for a drop of ink?—I said vinegar.

1731. What room were they in when you went out and they were talking together?—The front keeping room.

1732. Did you go out the back?—Out of my own, in the backway into their back kitchen.

1733. There would be room between you and where Burrows and your father were talking?—Yes, it was in the back; there was an open door.

1734. You stooped to put your ear to the key-hole?—There is no key-hole to the door.

1735. How close were you to the door when you were listening?—I dare say I might be as close touching it.

1736. Were you listening very anxiously?—I was listening to what conversasation went on.

1737. When were you spoken to about this conversation?—What do you mean; any one particular? I have made no secret; I have talked it over in public-houses every where I have been.

1738. When did you first begin to talk about it?—Soon after I wrote to Mr. Barnes.

1739. Have you written to Mr. Barnes since this election?—I began speaking about the 15 *l.* promised soon after the election of Mr. Hardcastle.

1740. Since this election?—I should think a month or five weeks ago; six weeks.

1741. Have you applied to anybody since this election for the money?—Only to my brother.

1742. To nobody else?—No.

1743. When did you tell this story to the gentleman on the other side here?—Which one?

1744. I suppose somebody has taken your evidence down?—Which gentleman did you point to; you ask me which of the gentlemen; if you ask me any gentleman I will answer you fairly.

1745. Tell the Committee, did you give your evidence to some gentleman in Bury?—Yes, certainly I did.

1746. Do not you know that gentleman?—I do not see him here.

1747. You know what I mean in substance; what is his name?—Mr. Clay.

1748. Is that Mr. James's friend?—I am not aware that he is any friend of Mr. James; I have nothing to do with Mr. James.

1749. Have you ever seen Mr. James in Mr. Clay's company since you have been down there?—Never.

1750. Have you never been with him in his company?—Never.

1751. How long was it since you gave Mr. Clay this information?—It may be a month or five weeks; I do not know exactly.

1752. Did Mr. Clay find you out, or did you find him out; take care?—I shall tell you I found him out.

1753. What made you go to him?—Because I considered I had been trifled with.

1754. What made you go to him in particular; why did not you go to somebody else. Had you heard he was getting up evidence for this petition?—I had heard there was to be a petition presented; I went there to him, and gave him the evidence which I have stated here to-day.

1755. Have

1755. Have you been with Mr. James a good deal since this inquiry has been going on, since the election?—No.

1756. Do you mean to say that?—No, because after he had left the town, I have not seen him till yesterday.

1757. Have you not been constantly with James during the week, in his society?—No more than I have been with a great number of people that use Bury.

1758. You may have been constantly with him?—No, I am constantly at work.

1759. Have not you been with him a great many times since this election?—Yes, I have.

1760. Have you been in public-houses with him?—Yes.

1761. Have you been talking over the matter of this inquiry with him?—That has been mentioned, but not anything particular; yes, I have.

1762. Have you not both of you said that you would have this election upset between you?—No; I will swear it.

1763. Nothing to that effect?—Not one single word.

1764. Do not you recollect what you told an honourable Member of this Committee, that "Those that play me a trick, mind I do not play a trick with them"?—Yes; I remember that.

1765. Was this carrying out that threat?—No; my meaning in that was, I should vote for Mr. Oakes.

1766. When did you vote?—Upon the polling day.

1767. You could not vote upon any other. What time of the day?—About three o'clock in the afternoon.

1768. Do you know what majority Mr. Hardcastle was at that time?—No.

1769. Do you not know he was in a majority of 50 at the time you voted?—No.

1770. Do you mean to say you did not know?—I did not inquire; I did not know the majority.

1771. I do not ask to your certain knowledge; was it not the general report?—I do not know what majority he was; how should I?

1772. When you voted, did you not hear he was 50 majority?—I heard he was ahead.

Re-examined by Mr. *Quain*.

1773. You did not hear whether he was 50 or 20; you say he was ahead?—Yes.

1774. You made no secret of this story?—I did not.

1775. You talked about it to other people?—Yes.

1776. Did you talk to James, more than anybody else, since that election?—I did not mention it to James; he came to me two or three days before the election; he called me away from my work; he says, "Braybrook, how are you going to vote this time?" I said, "I shall vote for Oakes." He says, "Do not vote for Oakes." I said, "There is an affair about this last election; I shall not vote for Hardcastle until that is settled." I told James so; he says, "If you like to vote for Hardcastle I can get you some money."

1777. Was that before or after your brother told you what passed between him and Clark?—It was before.

Examined by the *Committee*.

1778. You say you applied to your brother for the money that had been promised. Do you remember what your brother said when you asked him for it?—Yes.

1779. What took place; I mean since the election of 1857; you say you applied to your brother for your money; what answer did he give you?—I asked if he had got the money; he said, "No."

1780. What did you say; do you remember anything further?—I do not remember anything merely; he just answered, "No." I applied to him when he came to me; he says, "I have been to the Woolpack with Clark, and he had made it all right with me for the money."

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1781. Was that before the election or after?—Before the election.

1782. I am speaking of after the election. I understood you to say, in cross-examination, that you applied to your brother for the money since the election?—I asked him if he had got it; he says, "No." I said, "I suppose you never will get it."

1783. Did you say that?—I said so.

1784. Did he make any answer to that?—I do not recollect anything further passed about it; it was all over.

[The Witness was directed to withdraw.

Mrs. *Susan Robinson* was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

Mrs. *S. Robinson.*

1785. YOU are the wife, I believe, of Mr. John Robinson?—Yes.

1786. Where do you live, at Bury?—Cemetery Road.

1787. I believe you are the sister of the wife of Henry James?—Yes, I am.

1788. Do you recollect, about a week before the last election, your husband being canvassed by Mr. Hardcastle?—Yes.

1789. Did Mr. Hardcastle come alone, or were any other gentlemen with him?—Well, Mr. Le Grice was with him.

1790. Anybody else?—Why, yes, there was a man of the name of Downs.

1791. Did they see you, or see your husband, on that occasion?—They saw us both.

1792. Just tell the Committee what passed between you; what did Mr. Hardcastle say, and what did you say in reply?—He asked my husband for his vote, and my husband said he would promise no man.

1793. What did you or your husband say to that?—Nothing more, that I know; I do not know anything more was said; I do not recollect.

1794. Was any allusion made to your sister, Mrs. James?—Not at all; not a bit.

1795. Did Mr. Hardcastle come again?—I think he did in the course of the election.

1796. In the course of the day?—In the course of the canvass I think he called in; I am not sure; I did not see him no more.

1797. Do not you recollect at any time when you saw Mr. Hardcastle any allusion being made to your sister, Mrs. James?—No.

1798. No allusion at all?—No.

1799. Not a word about Mrs. James?—I do not recollect; there where I might tell him my sister was bad.

1800. She was ill at that time?—Yes, she was very bad; I think Mr. Downs asked me how my sister was, and I told Mr. Downs how bad my sister were; she was dying; Mr. Hardcastle did not ask me.

1801. Did Mr. Downs?—Yes; I am sure he did.

1802. What did you say in answer to that?—She was very bad, and had been very bad.

1803. Did you say anything about assistance?—No, not a word.

1804. Was anything said about your sister's sickness?—No.

1805. Except what you told us?—Mr. Downs knew my sister had been very bad for some months; my sister lay seven months on her death bed.

1806. Do you recollect after that seeing James William Clark?—No, I never saw him.

1807. I mean Clark, the hall-keeper?—Yes; I never saw James William Clark.

1808. You never saw him?—Not after; I did not.

1809. Who did?—I do not know; I did not.

1810. Did your husband, to your knowledge?—I do not know; my husband is here; he will give you an account of it; I did not.

1811. Did he call upon your husband when you were in?—Not when I was; I never saw the man.

1812. Never at all?—No.

1813. Had you never any conversation with him?—No, not with Mr. Clark; I never saw the man at the time of the election.

1814. Did you see him before the election?—No.

1815. At

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1815. At any time before the election?—I never saw Mr. Clark upon any business whatever; not at the time of the election.

1816. Not upon any business?—No, I did not.

1817. Do not you know that your husband got a sovereign from James William Clark?—I do not know where he got one; he gave me a sovereign, and I laid it on my sister's dying bed side. My husband said, "Here is a sovereign I have to give to your sister." I took it to her and lay it at her bed side, on a table by the side of her; I do not know; my husband will tell you who he had it from; I was not with him; I was with my sister when I was told; I was not with him.

1818. Do not you know how the sovereign came to be sent to your sister?—No, I do not know, only from her affliction. We had a great deal of affliction from her; the poor thing was left on straw, by her husband taking her bed from under her and pawning of it, and left her to myself; I had plenty of trouble. I do not wish——

1819. Did any one warn you not to tell James that you had a sovereign?—No; I knew James had a beautiful tongue; I did not tell him.

1820. You did not tell him that you had a sovereign?—No; I had to maintain her for seven months; he was not the man to maintain a wife after she could not work.

Cross-examined by Mr. *Atkinson.*

1821. We will just see about this now. You say this poor lady was lying upon straw?—Yes, when he left her; he left to go away.

1822. She had been ill for a length of time?—Yes, some months, in the greatest poverty; they left us with her in the house; we had to see the landlord of the house; the landlord was owing rent for a quarter's rent, and another going on.

1823. Was that the man James we had here yesterday?—Yes.

1824. I think you told the Committee that he had left her and pawned the bed from under her whilst she was in that sick state, and left her upon straw?—Yes. She must have gone into the workhouse if we had not been able to take her home.

1825. Was she living at another sister's at this time?—No; living in the house he left her in. We took the house she was living in. What were we to do with her? We must either take her home or send her to the workhouse.

1826. At the time the sovereign was given her, was she at the house of another sister?—Yes, Mrs. Neal.

1827. In a state of the greatest destitution?—Yes.

1828. You saw this sovereign given to you by your husband?—He gave me the sovereign into my hand; he said, "That is a good gift for her." I was too thankful to see it, to want to know where it came from.

1829. You went and put it down by the bed side of the dying woman?—Yes. She said, "Oh, where did you get it?" and I said, "Never mind." It was a good gift.

Re-examined by Mr. *Quain.*

1830. You had not the slightest notion of where he got it from?—I had not; he will tell you, I daresay; he is here.

[The Witness was directed to withdraw.

John Robinson was called in; and, having been sworn, was Examined by Mr. *Quain*, as follows:

John Robinson.

1831. YOU live at Bury, in the Cemetery-road?—Yes.

1832. Were you one of Mr. Hardcastle's messengers at the last election?—I was.

1833. Did you attend at the committee-room, on the Monday after the election, to be paid with the other messengers?—Yes.

1834. How much did you get?—Fifteen shillings.

1835. Who paid you?—A man of the name of William Whiting paid me; he got the money screwed up in paper, and gave it me into my hand.

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1836. Did you go into the room where the committee was; where were you paid; outside or inside?—Inside.

1837. Who was there when you were paid?—There was nobody there, only this man that paid me; the other parties then had been and gone.

1838. What other parties; the other messengers?—Yes. I was ordered down there to take my money.

1839. Were you about the committee a good deal in the day?—Yes.

1840. Constantly, I suppose?—Yes.

1841. Every day?—Every day; four days, I think. I earned my money, the 15 *s.*; they did not ought to talk about bribery.

1842. Did you go into the committee-room occasionally when you were there?—Yes, I was there.

1843. Who did you see there generally; who was generally there?—Mr. Collins, Mr. Hardcastle, and other gentlemen.

1844. Who were the other gentlemen besides Mr. Hardcastle and Mr. Collins?—I am sure I do not know; there were several more.

1845. What were their names?—I am sure I do not know their names; I have seen several of them there; at any rate Mr. Last.

1846. Did you see Mr. Graves?—Yes; and Mr. Last, and other gentlemen.

1847. Did you ever see Clark, the hall-keeper there?—Yes, repeatedly.

1848. Did you see Mr. Barrows, of the Fox, there?—Yes.

1849. Often?—Yes, several times.

1850. Do you know Mr. John Holden?—Yes. I think Holden was there at the day of election.

1851. Do you know William Robinson; did you ever see him?—Yes, if I know my brother, I think he was there on the day of election, on the Saturday.

1852. Did you ever see Mr. Leech there?—I do not recollect seeing Mr. Leech, the solicitor, there.

1853. Did you see Clark, the hall-keeper, every day that you went there?—I see Mr. Clark there every day.

1854. Do you recollect being canvassed by Mr. Hardcastle before the election?—Yes.

1855. When were you appointed messenger; when did they tell you they would want your services?—I think it was about a week before I went on; I think the Wednesday, and the election was on the Saturday.

1856. Who spoke to you about it?—I applied to Mr. Collins; I asked him whether he could not set me on; and he said, "Come down to-morrow; I think we can give you a job;" or words to that effect.

1857. Do you recollect being canvassed by Mr. Hardcastle before the election?—Yes.

1858. Who was with him when he came in?—Mr. Collins was with him.

1859. Anybody else?—No, I do not think there was; there was some one; I do not know; Mr. Collins generally came up canvassing with them for the most part.

1860. You had seen Mr. Hardcastle a good deal about the town canvassing before?—I believe he had been at mine once or twice.

1861. Who was generally with him when he was canvassing about the town?—Mr. Collins.

1862. Anybody else?—No; not that I know of.

1863. Had you seen Mr. Le Grice with him?—I think Mr. Le Grice was up with him the first time that he came.

1864. Did he come to you more than once?—Oh, yes; I should think two or three times.

1865. The first time he came, did he find you at home?—Yes; I think I was at home the first time he called there; and I think Mr. Le Grice was with him then, with Mr. Collins.

1866. Was your wife at home?—I think she was; I could not speak positively to that, I am sure.

1867. Just tell us what was said the first time Mr. Hardcastle came?—He came in to solicit me for my vote; I did not promise him then, just at that moment; I told him I had better not; perhaps I should not be able to fulfil that promise; and he said I shall call again.

1868. Was your wife present, I think I asked you before, this first time?—I do not think she was; I cannot say.

1869. Did

1869. Did anything else occur; any other conversation?—Not at all.

1870. The next time he called, how long was that after the first time?—Three or four days; it might have been more.

1871. Who was with him then?—Mr. Collins was with him then, I think.

1872. Do you recollect a person of the name of Downs being with him?—Mr. Downs did come round with him once; Mr. Downs was with him; I do not know, I am sure, at the time you ask, whether he was at that time or not; Mr. Downs was with him once, soliciting me.

1873. On one occasion?—Yes.

1874. On the second occasion that Mr. Hardcastle came to you, what occurred then?—He pressed me for my vote; and I told him then I thought I had better not promise him. He says, "Oh, I shall put it down as a promise." I had always voted for the Reform interest ever since I had a vote, and of course I did not go to turn my coat this time; I always voted for Lord Germain and Mr. Hardcastle.

1875. You did not promise, in fact; did you then promise that you would vote?—No, not at all; he said he should put it down as a promise; he knew me pretty well.

1876. Did he come a third time?—Yes.

1877. Who was with him when he came the third time?—I think Mr. Collins; he generally went round the town with him, soliciting the votes.

1878. Do you recollect upon either of those occasions any conversation about your sister-in-law, Mrs. James, taking place; was anything said about Mrs. James?—Nothing was said about Mrs. James when he solicited me; the gentlemen never knew anything about her.

1879. Had you at any time any conversation with Mr. Hardcastle himself, or Mr. Collins, about your sister-in-law, Mrs. James?—I do not know what my wife said to Mr. Hardcastle, exactly.

1880. Did she say anything to him?—That I cannot tell.

1881. In your presence, did you hear your wife say anything to Mr. Hardcastle?—I have heard her say something about Mrs. James had been very ill seven months; she speaking to Mr. Hardcastle; it was not Mr. Hardcastle, it was Mr. Collins, I think.

1882. But Mr. Hardcastle was by, was not he?—I think he was; whether he was inside the shop or outside of it, I am sure I could not say.

1883. Just tell us what was said; she was ill at that time, was not she?—Dreadful ill; she had been ill, I should say, all five months.

1884. Tell us what was said about her?—I cannot tell what my wife said to Mr. Collins.

1885. Did your wife say a good deal about it, or was it a very short thing?—I do not know, I am sure, what my wife said; all I know is this, the woman had been dreadful ill for a long time.

1886. And your wife mentioned that to Mr. Collins?—Yes; and my wife mentioned about her being so dreadful ill for a long while, about five months; and she was ill two months; that made seven months she was ill.

1887. That was what your wife was saying to Mr. Collins?—Yes; my wife was stating the case to him.

1888. Did not you give your wife a sovereign to give to Mrs. James?—I did.

1889. When was that?—I think it was about a week or a fortnight before the election; something like that.

1890. Was it after this conversation that you have just been telling us about?—I think it was.

1891. You gave it to your wife?—Yes.

1892. Did you tell your wife where you got it?—Yes, I did; I gave it directly she came in; she had then come from her sister's.

1893. You told her where the sovereign came from?—Yes, I took it as an act of charity, not as a bribe.

1894. Who did you tell your wife you got it from?—Mr. Clark.

1895. Clark, the hall-keeper?—Yes.

1896. You told her so?—Yes, I did, distinctly.

1897. You got it from James William Clark, the hall-keeper?—Yes.

1898. When did Clark give it to you?—It was evening time; I think it was about a week or a fortnight before the election.

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1899. Was it after the conversation you have just been telling us about that your wife had with Mr. Collins?—I think it was after that; yes.

1900. Might it be the same evening?—No, it were not the same evening, it was a little time after that.

1901. Did Clark tell you who sent it you?—Yes.

1902. What did he say?—He said, "Here is a sovereign; you give that to Mrs. Robinson; that is for Mrs. James in case of her distress and her way of illness." She had been ill for a length of time.

1903. Did Clark tell you who sent it to you?—He said it came from Mr. Hardcastle.

Cross-examined by Mr. *Atkinson.*

1904. And you took it as an act of charity, not as a bribe to you?—Yes.

1905. Did it in the slightest degree operate upon your feelings to vote for Mr. Hardcastle?—Not at all.

1906. Did you ever receive any money of any kind or nature beyond that sovereign that you conveyed to Mrs. James?—Never.

1907. Was she at that time in a state of great suffering and distress?—She was.

1908. Was not she at that time deserted by her husband, James?—She was; I might term it so; it all laid upon the two sisters; they done all this here case for her for the whole seven months in her affliction; my wife and her sister.

1909. You had always voted, I think, on Mr. Hardcastle's side, had you not?—I always had; always.

1910. You say you have received 15*s.* for your services; how many days were you employed?—Four days.

1911. What were your duties?—I had to attend to one of the doors in Bridewell gaol and other offices.

1912. My learned friend has asked you about the number of people coming up; were there more rooms than one that people came into in this house?—Yes, several rooms.

1913. Now, the room that Mr. Hardcastle and Mr. Collins went into generally, what room was that?—It was called the committee-room.

1914. Is that the room that you say you saw Clark and those people go into?—Yes, repeatedly.

1915. I believe you were never in that room, were you?—No, not in that room exactly; I was at the doors of that room to attend, as people were coming in and out.

1916. Was there a back gate in the garden?—Yes, I attended upon that gate for the most part.

1917. When those people entered the house, do you say you saw them go into those rooms?—Yes, I saw them repeatedly go in.

Re-examined by Mr. *Quain.*

1918. There was nothing else done in the house but election business?—No.

1919. I believe it was an empty house?—Empty; hired for the purpose of the election; they hired it on purpose for that.

1920. Mr. *Atkinson* (through the Committee)]. Did the electors generally during that election go backwards and forwards into this house?—Yes, repeatedly, all day long; they used to meet there about ten o'clock, and sometimes till after nine at night.

Examined by the *Committee.*

1921. Had you received any money for your wife's sister before?—No.

1922. Did he know of her receiving any money in the same way?—Never a halfpenny; it was a great expense to my wife.

1923. Was her case known at Bury St. Edmund's by many gentlemen as being in great distress?—It was known pretty well all over Bury.

1924. Had you the aid of any charitable people?—No parochial relief; it was done between my wife and her sisters.

1925. Did any gentlemen in the neighbourhood or town, send her anything to relieve

relieve her distress?—I believe she had some wine from several parties, but who sent the wine I do not know. *John Robinson.*

1926. Mr. *Atkinson.*] Mr. Clay sent her some wine?—Yes. 10 July 1857.

1927. By the *Committee.*] Did anybody give you any money?—Never; not a halfpenny.

1928. I think you mentioned about Mrs. James being ill to Mr. Collins; your wife did in your presence?—Yes.

The Witness was directed to withdraw.

James Porter was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

1929. YOU are the timber-legged old gentleman; what are you by business?—I keep a beer-house. *James Porter.*

1930. Is that the British Queen?—Yes; I believe that is the name of it.

1931. How did you vote at the last election?—I voted for Mr. Hardcastle.

1932. Had you a vote at any previous election or not?—Never before.

1933. Where did you come from; what were you by business?—I am a Suffolk man bred and born.

1934. You have been abroad?—Yes.

1935. You have been to Australia and come back?—Yes.

1936. Do you know Scates and Henry James?—I do by sight; that is principally all I know of them.

1937. Were they at the British Queen, at your house, before the election?—I believe they were.

1938. Have you any doubt about it?—I know they were.

1939. Did Henry James ask you for your vote?—I dare say he did.

1940. Have you any doubt about it?—I was asked by different people.

1941. Did James ask you for your vote for Mr. Hardcastle?—I believe he did.

1942. At that time, who was your brewer?—Mr. Green.

1943. Where does he live?—He lives in Bury.

1944. Did you owe him any money?—Not any.

1945. Did you owe him 17 *l.* 10 *s.*—Never in my life.

1946. You never owed him 17 *l.* 10 *s.*?—No.

1947. At that time you did not?—I never did.

1948. Had you a little party at the British Queen the day before the nomination?—No.

1949. Nobody there?—I had some odd ones.

1950. Do you know Richard Bullock?—Yes; he is a neighbour of mine.

1951. What is Richard Bullock?—A coal meter.

1952. Was he at your house the day before the nomination?—He is very often there.

1953. Did he happen to be there the night before the election?—I think he might very likely; I am not very positive whether it was the night before or the night after.

1954. Did he pay you any money?—Only for the beer that he drank.

1955. Have you a wife that attends to your business?—Yes.

1956. Did he pay her any money?—No; I received the money myself at that time, if I recollect.

1957. Was there a party there?—Yes; a few odd people.

1958. Did they come together?—No; they did not all come together.

1959. Was Henry James there?—I cannot rightly say whether he was there at that time.

1960. Was Henry James there, can you recollect, the night you had the party?—I have quite a good recollection to that effect.

1961. When that odd party was there that evening, was Henry James there?—I cannot recognise whether he was there during that night.

1962. Was Scates there during the time the party was there?—He was there that night; I did not know Mr. Scates nor Mr. James at that present time, not further than I have recognised them since then.

1963. Had Henry James been to you and asked for your vote for Mr. Hardcastle before that?—I dare say he had.

 1964. Have

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1964. Have you any doubt that he did before that night?—I have no doubt in the world; I am almost certain of it; there was a great many people besides him.

1965. Had Henry James asked you for your vote for Mr. Hardcastle before that?—I cannot give you an answer, no further than he might have done so.

1966. Did he happen to be at that party?—I cannot tell you rightly; I have no doubt he was there; he was in the course of the day.

1967. Was Scates there?—I have no doubt he was there in the course of the day.

1968. Richard Bullock was there, you say?—Yes.

1969. Did you talk about the election?—We had a discourse about it, one or other of them.

1970. Who did you promise to give your vote to?—I never promised my vote to anyone.

1971. Had you promised your vote to anyone before the night of the nomination?—I never promised anyone.

1972. Who did you intend to vote for?—I never told anyone who I intended to vote for.

1973. Had Mr. Collins and Mr. Hardcastle canvassed you?—They had called upon mine.

1974. Had they seen you in the street?—No.

1975. Did they canvass you together?—They called at mine, at my house.

1976. Who was with them?—Mr. Hardcastle and Mr. Collins; I do not know the other gentlemen.

1977. Do you know Clark, the hall-keeper?—I know him by sight; I did not know him; I am a perfect stranger in Bury.

1978. You do know him then, now?—Yes.

1979. Did James William Clark ask you for your vote?—Mr. Hardcastle asked me for my vote by himself; I do not think the other gentleman came into the door.

1980. Was James William Clark with them?—I cannot rightly tell; there was two or three gentlemen with them, and I know Mr. Collins was one.

1981. Do you know Burrows, at the Fox?—I do not know him.

1982. When those odd people, as I think you called them, were at your house, you say that Bullock was there; did Bullock pay you any money that night?—For what beer he drank.

1983. Did he pay you the sum of 10*s.* 6*d.*?—No; he never had a bill at our house in all his life.

1984. Did he pay you the sum of 10*s.* 6*d.*?—He paid me for the beer he drank.

1985. Were you paid more by other people?—I received it from different ones.

1986. Were they men whom you knew?—Some of them, and some of them I did not recollect before, and not since.

1987. Did they come in a party together?—I daresay they have been in my house a great many times; I am a stranger in Bury.

1988. Did they come in a party together?—They did not come together, they came in odd ones, two or three at a time; I do not know how many there were.

1989. Can you tell the Committee whether there were 10, or 20, or 30?—I do not know how many; I did not reckon them at all.

1990. Each man paid for what he had?—I received money from different ones.

1991. How many were there?—I do not know how many there was, nor half of them.

1992. Did you tell James that you owed your brewer 17*l.* 10*s.*?—No, I think not; I never did; how could I? It must have been told in falsity if I did.

1993. Will you swear, upon your oath, that you did not tell Henry James that you owed your brewer 17*l.* 10*s.*?—I will swear it; I never did owe the money.

1994. Will you swear, upon your solemn oath that you did not tell Henry James that you owed your brewer 17*l.* 10*s.*?—I never told him any such a thing.

1995. Nor any amount?—No.

1996. Did you tell Henry James anything about your owing your brewer money?—I never had any conversation with James whatsomever, nor any other gentleman that came in my house, that I waited upon.

1997. You

1997. You said that James and Scates conversed with you about your vote?—Yes.

1998. What did you tell them?—I waited upon him, and took his money what he owed; that is all the discourse I had with James.

1999. You have sworn that James asked you for your vote?—Yes.

2000. What did you tell Henry James when he asked you for your vote?—I do not know what I told him, I am sure; I could not tell him that.

2001. What did you tell him?—I do not know what I did tell him now; I do not recollect the words; it did not matter to me what he said.

2002. How long were you in conversation with James when he called and asked you for your vote?—I do not recollect.

2003. Ten minutes, or a quarter of an hour?—I do not know.

2004. Half an hour?—I do not know.

2005. An hour?—I do not know.

2006. That is your answer, is it?—That is my answer.

2007. He called, and asked you, and you do not know whether he staid there 10 minutes, a quarter of an hour, half an hour, or an hour; that you mean to be taken down as your evidence?—Yes.

2008. Were you with him two hours?—I do not know.

2009. You cannot tell the Committee what you said when Henry James asked you for your vote?—I cannot, not now.

2010. Did you talk about your vote to him?—I made no promise about my vote.

2011. Did you talk about your vote to him?—I dare say conversation was brought up about it; I cannot tell what was said at the present time.

2012. Did you tell him how you should vote?—No.

2013. Who was present when Henry James asked you about your vote?—I do not know.

2014. Was Scates with him?—I think he was; I am not positively sure.

2015. Did you say anything about money to him?—No, no further than for his beer what he drank.

2016. What was that?—I do not know now.

2017. What did you say about his beer?—All I wanted was for his beer.

2018. Had he been there the night before?—I cannot say whether he was there the night before or after.

2019. What did he owe you?—He did not owe me nothing but a pint or two; it might be a pint, or half a pint; I do not know what it was now.

2020. When was it that he had been there, the day or in the evening?—I cannot say rightly whether it was day or night: I do not take an observation exactly of the hour that people call at my house.

2021. How often did he call about your vote?—I do not know.

2022. You cannot tell the Committee how often you saw Henry James about your vote?—I cannot.

2023. Did you see him more than once about your vote?—I did not.

2024. Will you swear that you did not see him two or three times about your vote?—I do not know.

2025. Was anything said about your rent?—No.

2026. Not a word?—Not a word.

2027. You can swear that nothing was said about money owing to your brewer, or for your rent; but you cannot tell the Committee one word of the conversation that occurred?—I cannot.

2028. Not a word?—No.

Cross-examined by Mr. *Atkinson*.

2029. Did you see Mr. James any more than any other man that came into your house at that election as a customer?—No.

2030. Do you mean by telling me that you do not know how long he was there, that he was drinking beer with the other men?—I never took any more notice of him than any other, nor what he drank: he paid for what he had.

2031. I suppose, with regard to conversations with your customers you do not recollect what takes place, unless it is some singular circumstance?—No.

2032. You have already told the Committee, with regard to this sum of 17*l.* 10*s.*,

 that

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that you never said anything of the sort, nor did you owe it?—I never owed it; and I never said nothing about it.

2033. Supposing James had said to the Committee that you did say so; is that true?—I believe he would be, as I believe he is, a false man.

2034. Is that his character in Bury?—That is my opinion, if he said it.

Examined by the *Committee.*

2035. When James and Mr. Collins were there, did a conversation pass upon the subject of money at all?—Not any at all.

2036. There was no such sum as 17*l.* 10*s.* mentioned?—No such sum.

2037. At none of these interviews?—No further than I said for beer, that is what they drank among them; they paid me; I took the money of different ones for the beer; I had no other discourse; I pay ready money for my goods.

2038. Did I understand you to say that you knew nothing about James until you saw him?—I did not know nothing about James, only what I was informed about him; I did not know nothing about him personally until I came up, and I found Scates with him; I knew the other one

2039. I understand you to say that you did not know him personally until you saw him here?—They both came to me; I did not know their names, the one from each other.

2040. If you did not know his name, how did you know him to be a false man?—By the character I had heard of him.

2041. I think I understood you also to say, that when James called upon you, your only conversation was about some money that he owed you for the day before?—No.

2042. For beer for the day before?—He never contracted a bill with me.

2043. You wanted payment for the beer which he had had?—For the beer he had the time he was in mine

2044. You did not know his name at that time?—No, I did not know his name at that time.

2045. You did not know his name when he called upon you to canvass you?—No.

2046. You never asked his name?—No; he came into mine; the first day I recollect he said, in conversation that passed between the others that was in mine, that he came from Colchester, and was going back to Colchester again.

2047. Do you know a voter of the name of Harris?—No, not that I am aware of. Is it the Harris that keeps the Dolphin?

2048. Was there a voter of that name, do you remember, in the house the same night that Bullock was there?—I do not recollect that there was; I know a Mr. Harris.

2049. How many were there in the house together?—I do not know; there might be five or six, or seven or eight, or ten; I am not in the habit of keeping account of the people that are in my house.

2050. Were they drinking together, or separately?—They came in at different times, one or two at a time.

2051. When they went in, did they join in one party?—In conversation they discoursed together

2052. Did every man pay his share for what he had?—I received money from different parties.

2053. Did each man pay for what he had?—I received money from different parties.

2054. One man did not pay for the whole lot?—No.

[The Witness was directed to withdraw.

Mrs. *Frances Pawsey* was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mrs. F. Pawsey.

2055. WHAT is your husband's name?—Robe rt.

2056. Where do you live?—In Garland-street.

2057. At the time of the election where were you living?—At High Baxter-street.

2058. Do

2058. Do you go out as a charwoman?—I do.

2059. By the day?—Yes, by the day.

2060. What do you generally get per day?—Sometimes I have 5*s.* a day when I have to find my own food.

2061. As charwoman?—Yes.

2062. Is that the usual wages thatcharwomen get in Bury?—In some places.

2063. Have you been examined by Mr. Collins at all, or had any conversation with him this last week or ten days?—No; I only saw him once.

2064. When was that?—I think it was about six days ago.

2065. Did he have some conversation with you with regard to this matter?—Very little.

2066. I do not ask you how much; had he?—Yes, he had a little.

2067. How long was he with you?—Not above five minutes at the outside; it was outside the door.

2068. Was he talking about this election?—He asked me whether I had got my summons; got a paper.

2069. Did you make a statement to him?—No.

2070. Did he ask you questions?—No.

2071. Did you tell him anything?—I said I could not think the reason I had this paper.

2072. You did not make any statement that was taken down?—No.

2073. You say you got 5*s.* a day occasionally as charwoman; name anybody that paid you?—Yes, I will; Mr. Clark.

2074. Is that Mr. James William Clark?—Yes.

2075. How often has James William Clark employed you as charwoman?—Not above twice.

2076. What is Mr. James William Clark?—I do not know what he is now.

2077. You know his house?—It is not lately I have worked for Mr. Clark.

2078. How long ago is it that you worked for Mr. Clark?—Two years ago.

2079. Where was he living then?—He was living in Abbey Gate-street.

2080. What was his business?—The haberdashery way.

2081. Is he living in Bury now?—Yes.

2082. That is two years ago?—Yes.

2083. Can you name any other person that has given you 5*s.* a day?—Yes; I do not know.

2084. What do you usually get; one shilling or two?—I do not go out for 1*s.*; it is according whether they board me.

2085. What if they do not board you?—3*s.* 6*d.*

2086. When you are the whole day?—Yes.

2087. From morning till night?—Yes.

2088. Is that your usual rate when you are usually out the whole day?—I do not always go out; I have my work at home.

2089. When you do go out you have 3*s.* 6*d.* without your food?—Yes.

2090. You are the whole day, 10 or 12 hours?—When my work is done, I come home. Sometimes I do not go very early in the morning, and sometimes I do.

2091. Do you know the house used by Mr. Hardcastle's committee during the last election?—Yes.

2092. Did you clean that room?—I did.

2093. Were you there during the day, or only occasionally?—I was there backwards and forwards the whole day.

2094. How many days?—Eight days.

2095. Who engaged you?—Mr. Collins.

2096. Were you paid day by day?—I can show you my bill; there it is.

2097. Were you paid from day to day?—No; I was not till the time was up.

2098. Who paid you?—Mr. Leech.

2099. Will you let me look at that bill?—Yes, I will (*handing a paper to Mr. Rodwell*).

2100. Is this the bill you showed to Mr. Leech?—No, that is not the bill.

2101. When did you prepare this bill?—Directly I came home.

2102. Was it a copy of this you sent?—Yes.

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[*The same was delivered in, and is as follows:*]

1857. Thomas Collins Esqr Registrar of the County Court in Suffolk

Dr To Francis Pawsey.

March.	to Eight Days work my Self at - - - - - -			3. 6. pr. Day
	& one day a Extra woman at - - - - - -			2. 6. pr. Day
	Cleaning Stoves & floors & Doors & windows & frames a lighting fires and attending to the same - - - - - -	£ 1.	s. 10.	d. 6
	To finding Kindeling & window Blind and soap & Brushes Brooms and Dwills & or at Cominity Rooms in Bury St. Edmunds used for Z A hard Castle Esqr - - - -		4.	6
		£ 1.	15.	0
	Recd. of C D leech Esq by Cash - - - -	1.	10.	0
	Balance due to me - - - - - -		5	„

2103. Mr. Leech, you say, paid you that?—Yes; he was very loth to do it.

2104. Why was he very loth to do it; did he tell you?—No; I went six or seven times.

2105. What passed when you went to Mr. Leech?—He said Mr. Collins was in London, and he thought he had better see Mr. Collins about it.

2106. He did not say about the charge being too high?—Yes; he said he thought it was too much.

2107. What did he tell you; that 2*s.* a day was all you ought to have?—No; he did not tell me anything about that.

2108. How much too high did he pay?—He said he thought he had better see Mr. Collins before he paid me.

2109. When was that?—I cannot say exactly what day; I went six or seven times after it.

2110. How soon after the election was it that you applied to Mr. Leech for the payment of that bill?—The second day after the election.

2111. He then stated what you have told me: when was the bill ultimately paid?—I cannot exactly say what day.

2112. Who paid it?—Mr. Leech.

2113. When Mr. Leech paid you; tell me, if you can, when it was?—I cannot say.

2114. About how long?—I think it must have been about a week after.

2115. Did Mr. Leech, when he paid you, say anything about the bill?—He said he thought it was too much; he had better see Mr. Collins before he paid me.

2116. When he did pay you, did Mr. Leech say anything about the bill, or whether he had seen Mr. Collins?—Mr. Last came in.

2117. Who is Mr. Last?—Mr. Last, of Guildhall-street.

2118. Is that Mr. Le Grice's clerk?—Yes; and Mr. Leech told him about my bill; and he said, "I am sure it is not at all too much;" and he paid me down 30*s.*

2119. Who did?—Mr. Leech did.

2120. Would not he pay you 5*s.* more?—No; he thought he would see Mr. Collins.

2121. Did he afterwards say anything more to you about this bill?—I never went to Mr. Leech.

2122. Have you ever applied for that other 5*s.*?—No, I have not.

2123. Your husband is a voter, is not he?—Yes, he is.

2124. Did you show that bill to your husband before you took it in?—Yes, I did.

2125. Did you prepare two bills, or one?—No.

2126. Only one?—Yes, I did prepare two bills; Mr. Leech had one.

2127. Whose handwriting is that bill?—A gentleman that makes my husband's bills out.

2128. Who is that?—I think I am not forced to tell you; that is my business.

2129. Whose handwriting is that paper in; perhaps I can tell, if you give it me; whose is it?—I do not know that I am forced to tell you; my husband's.

2130. I press you for an answer; do you decline to give it?—(*The Witness hesitated*)—I do not know that I shall.

2131. It is not a lady's, is it?—No.

2132. Who writes Mr. Pawsey's bills?—I do not know.

2133. Oh, yes, you do; you know who wrote it?—Yes, I do know; I do not think I shall tell you.

2134. Has anybody told you not to tell?—No, they have not.

2135. What is your objection to telling me?—Nothing particular. Will you allow me to go and speak to my husband?

2136. Certainly not; did your husband tell you not to say?—No.

2137. Why do you think you should like to see your husband?—Because I thought I should like to see him very much.

2138. Did you see it written?—Yes.

2139. Who wrote it?—If I may be so bold, one of Mr. Oakes's side wrote this bill.

2140. I do not care who it was?—That is a gentleman that gave Mr. Oakes a plumper.

2141. You have wasted a good deal of time?—You ask me so many questions; that is my bill; there it is.

2142. By the *Committee.*] There cannot be any objection to your saying who wrote the bill?—Mr. James Brett.

2143. Mr. *Rodwell.*] When did he write it?—He wrote it about when I came back.

2144. Did he copy that from the other bill?—Yes, he did.

2145. Did you bring the other bill back from Mr. Leech?—It was in my husband's book.

2146. Did you leave your bill with Mr. Leech, or did you bring it back?—I cannot answer such questions as that.

2147. I want to know when you went to Mr. Leech the first time; did you leave the bill with Mr. Leech or not?—Yes, I did.

2148. I want to know how it was that Brett copied that bill after you had seen Mr. Leech?—It was in my book; my husband's book.

2149. Where is that book?—At home.

2150. Who keeps it?—It is in my house.

2151. You keep the book yourself, do not you?—No, I do not.

2152. Who does?—Mr. Brett keeps my husband's books; of course they are under my care.

2153. You have made a great mystery about this?—I am sure it is ——

2154. Did your husband vote at the last election?—Yes.

2155. And for Mr. Hardcastle and Lord Germain?—No; he voted for Mr. Hardcastle.

2156. Who hired you to do these rooms?—Mr. Collins.

2157. Do you recollect seeing your husband canvassed for his vote?—No.

2158. Was he canvassed, to your knowledge?—No; I cannot say anything about that.

2159. Do you know whether he was canvassed for his vote?—I do not know; I cannot answer that question. Sometimes I am at home, sometimes I am out.

2160. I ask you whether you recollect your husband being canvassed for his vote?—No, I do not.

2161. Were you asked for his vote by anybody?—No.

2162. Not by any one?—No.

2163. Was the subject of his vote ever mentioned to you?—No.

2164. Not by any one?—No, not to me.

2165. You say that you received 30*s.*?—Yes.

2166. Have you received any other money?—No, not one farthing.

2167. Not from anybody; I do not mean for yourself, but for anybody?—No.

2168. You have received no money?—No.

2169. What did you do with the 30*s.* that you received from Mr. Leach?—I took it home, and bought my children some wearing apparel; that was my money; I reckoned I had a right to do what I liked with it; I do it for the sake of my children,

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children, and to keep myself respectable, because I will not be beholden to the parish.

2170. You got those 30*s.*, and you went and spent it in clothes for your children; you did not give your husband any of it?—No; let him take care for himself.

2171. Is that what you always do with the money that you get when you go out charing?—Yes; or else I should not have to work as hard as I do.

2172. You keep that money all to yourself?—Yes.

2173. Upon this occasion did you do so?—Yes; I was not going to take that money home to my husband to do as he liked with it; I might as well sit with my hands before me, as some other women do round about up here, in dirt; that is not my spirit.

2174. Did you tell your husband what you had got?—Yes, I did; I had a right to do so.

2175. You did tell him?—Yes.

2176. And you did not give him any of it?—No, not one farthing; nor yet so much as a glass of beer.

2177. Now, you tell me that you are quite sure of this?—I am; he never had hold of one farthing of that money.

2178. Did you tell your husband that you had only got 30*s.*, instead of 35*s.*?—I got only 30*s.*, you know.

2179. You got 30*s.* from Mr. Leech; you had intended to get 35*s.*?—Yes, I did.

2180. Did you tell your husband that you only got 30*s.*?—Yes; and he bought I deserved the other 5*s.*

2181. Did you know which way your husband was going to vote?—Yes, I did.

2182. How had he voted at former elections?—Why, the same as he did this time.

2183. For Mr. Hardcastle?—Yes.

2184. You say that your husband told you he was going to vote for Mr. Hardcastle, I think?—Yes, he did.

2185. Was that the day of the election, or before?—When I came out in the morning, down to the rooms, to see after my business; when I was going ——

2186. What day?—The day of the election; when I was coming back, I saw a gentleman by the Angel Inn, and he said, "Mrs. Pawsey, have you locked your husband up, so that he cannot vote?" I said, "No; you had better go and see somebody before I go home."

2187. Did you go home?—No; my husband had been to vote before I got home.

2188. What I want to ask you particularly is this: you say you were in these rooms eight days; will you tell me the names of the gentlemen who were in the habit of frequenting them?—I saw Mr. Collins and Mr. Hardcastle.

2189. Who else?—I saw so many, I cannot tell who.

2190. Yes, you can?—I cannot.

2191. Did you see Mr. Burrows?—No, I never did.

2192. Did you ever see Mr. Leech there?—No, I cannot say that I did.

2193. Mr. John Holden?—The gentleman that is up here?

2194. I do not know where he is?—He has been in the room before.

2195. You know who I mean?—Is it Holden, that keeps the Black Boy?

2196. John Holden, I mean?—I hardly know one from the other.

2197. The grocer?—No.

2198. You did not see him?—No.

2199. Mr. Joseph Last; did you ever see him there?—Yes; I think I saw Mr. Last come in.

2200. Often, or occasionally?—No; I do not know that I saw him very often.

2201. Mr. Graves?—Graves, the tailor?

2202. Yes?—Yes, I saw him.

2203. Now, give me some more names; did you see any people by the name of Clark there?—I do not know; there are so many Clarks at Bury.

2204. James William Clark, the hall-keeper?—I never see him there.

2205. You are quite sure about that?—Yes, I am.

2206. You do not know whether you ever saw Mr. Le Grice?—No; you never mentioned that name to me.

2207. Did you see Mr. Le Grice there?—Yes; he came to me one morning;

no

no, he did not come; I was in the passage, and he went into the other room with the other gentlemen.

2208. You have told me Mr. Burrows was not there; James William Clark was not there; I think you doubt about Mr. Holden; you never saw Mr. Holden there; Last, you say, you have seen once; will you be good enough to tell me who you did see?—There were so many in and out.

2209. How long have you lived in Bury?—Almost all my lifetime.

2210. You know the gentlemen; cannot you name them?—I cannot say that I can name them.

2211. Mr. Hare?—Yes; he came in the last day I was cleaning; I can tell you what he said to me; he said, "I hope you will leave these rooms quite clean and comfortable;" I said, "I will, sir;" and he said, "Good morning," and that was all he said to me.

2212. Perhaps you will recollect presently the names of some more gentlemen; what were these gentlemen doing in the committee-room?—They was in the room; I was not with the gentlemen.

2213. What were these gentlemen doing in the committee-room?—I cannot say what they was doing; I cleaned the place up, and dusted the places round.

2214. You told me you were in and out during the day; what were the gentlemen doing when you were in and out of the room?—Talking.

2215. Were they sitting or standing?—Sometimes sitting; sometimes standing.

2216. Was there a table in the room?—Yes.

2217. Pens, ink and paper on the table?—Yes.

2218. Were any gentlemen writing in the room?—I never saw anybody writing in the room at the time I was there.

2219. Were there any books about the room?—No, not particular; I saw some papers in the morning when I went in.

2220. Did you go in during the day-time?—Yes, I did, backwards and forwards; I saw paper and ink; sometimes the gentlemen was out; I was in to attend to the fires; I did not make it my business to go in there when there was a heap of gentlemen writing, if they were writing.

2221. Were there any papers up at the windows?—Yes.

2222. "Hardcastle's Committee-room"?—Yes.

2223. Were people in and out of that room during the day?—Yes; I cannot say who they were.

2224. Did you see Henry James there?—I never knew him till I came up here.

2225. Do you know a man of the name of Scates?—Yes; I saw him.

2226. William Robinson; did you see him there?—I did not.

2227. William Robinson?—The gentleman outside, I suppose.

2228. The baker?—I did not speak to him till I saw him come in.

2229. You recollect seeing him?—Yes; he came in one morning.

2230. Did he come into the committee-room?—No; he went to the further room.

2231. What was that further room kept for; was it a private room or not?—No; that was for them that liked to go in and out.

2232. Was this committee-room a private-room?—Not particular; if they liked to go into that room, they went; I did not stop them.

2233. Cannot you mention the names of any other persons that went there?—I cannot.

2234. Have you forgotten them?—I know a good many more people by sight than by name.

2235. Did any gentlemen there ever speak to you about election matters?—No, they did not.

2236. You did not trouble yourself about them?—No; they came in; I went and did what I was ordered to do; they never spoke to me.

2237. Were you there an hour or two in the day?—Two or three hours. I used to run home to look at my family, and back again.

2238. How far do you live off this house?—About a quarter of a mile.

2239. Did you make the fires, and go backwards and forwards two or three times in the course of the day?—Yes.

2240. Two or three times in the course of the day?—Yes.

2241. At night did you come again?—Sometimes I did; not every night I did not; there was a man there.

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2242. Who was the man that was there?—Mr. Wright.

2243. Did you have any message to your husband upon any occasion that you recollect?—I never had.

2244. Do you know a man by the name of Peckham?—Yes, I know him; I never saw him at the rooms.

2245. Did you see him during the election?—No, I do not know that I did.

2246. Peckham, of the "Fleece" public-house; did he speak to you during the election, that you recollect?—No.

2247. Are you sure of that?—Yes.

2248. William Peckham, of the "Fleece" public-house; do you recollect seeing him on the day of election?—No, I do not know that I did.

2249. Do you know that you did not?—No, I do not.

2250. You did not see Peckham on the day of election?—No.

2251. Was not Peckham the person who spoke to you about your husband's vote?—No.

2252. Who was that? Did you say the name was Watson?—Watson; I saw him as I was coming home.

2253. Was there nobody else who spoke to you about his vote on the day of election besides Watson; not Peckham, you are sure of that?—No.

2254. You had no conversation with Peckham on the day of election?—I am quite sure I had not.

2255. Did you send Peckham a message on the day of the election?—No.

2256. Had you no communication on the day of election with Peckham, either by yourself or anybody else?—No.

2257. You mean that?—Yes.

2258. Did you send your husband to Peckham?—No.

Cross-examined by Mr. *Atkinson.*

2259. This house that you have spoken of was an empty house, I think; it was not a public-house?—No.

2260. There were several rooms to look after in the house?—Yes.

2261. It was taken for the purpose of this election; was it such a house that to clean up the rooms after the gentlemen had gone would require a woman in your capacity?—Yes; it was very filthy; it was very dirty weather at the time.

2262. Is this Mr. Hare we have heard of the landlord of the house?—I do not know.

2263. He was there?—Yes.

2264. Was the conversation that you had with him at the time you were cleaning up the house previous to its being given up to him?—It was the night I took the key.

2265. Was this after the election?—Yes.

2266. The interview with Mr. Hare took place on Tuesday after the election was over?—Yes.

2267. For fear there should be some mistake, I want to know something about this man Clark you have been speaking of. My learned friend has asked you whether you had 5 *s.*, and you said you had 5 *s.* a day from Mr. Clark about two years ago?—Yes.

2268. What Clark is that?—Mr. Clark that used to live in Abbeygate-street.

2269. Not Mr. James William Clark, the hall-keeper?—No.

2270. A different Clark from him altogether?—Yes; he is commonly called, I believe, a gentleman.

2271. Was anything said to you about the money you were to have for your services before the election?—Nothing was said.

2272. You made out your bill in the ordinary way?—Yes.

2273. Were you engaged as an ordinary charwoman, to look after the house, and clean it up, and so on?—Yes.

2274. You charged 3 *s.* 6 *d.* a-day, and those charges which you made for soap, brushes, and things of that sort, and upon the settlement they took 5 *s.* off the bill?—Yes.

2275. It was settled in the ordinary way of business, and you took the 30 *s.*?—I took 30 *s.*

Re-examined

Re-examined by Mr. *Rodwell.*

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2276. You have told my learned friend that nothing was said about money before the election?—Yes.

2277. You did not know what you were going to be paid?—No.

2278. Is that what you usually do?—Yes; of course when I go out I do not ask what my pay is to be.

2279. Do you mean that nothing was said about what you were to have; or you were to be well paid, or nothing about it?—They never told me that I should be well paid.

2280. Did they tell you that you should be paid at all?—No.

2281. What passed about it?—Mr. Kemp came down to my door; he was at the Half-Moon; he came to my door, and said, "Mrs. Pawsey, can you go out and clean these rooms, and make some fires in the morning?" I said, "For whom?" He said, "At Mr. Hardcastle's rooms." I says, "It does not matter where I go to earn a few shillings." He says, "Mr. Collins is up in the Half-Moon-yard, will you go and speak to him?" I went to Mr. Collins, and he asked me whether my name was Pawsey? I said, "Yes." He said, "Can you go and make some fires in the square?" I said, "Yes;" and he said nothing else to me.

2282. He merely asked you if you could make some fires, and nothing about payment?—Yes, and clean up the place.

2283. Nothing about what you were to charge, or what you were to have?—No, I am sure he did not.

2284. You say that you live a quarter of a mile off?—As near as I can say.

[The Witness was directed to withdraw.

Robert Pawsey, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Robert Pawsey.

2285. YOU are a carpenter, I believe?—I do that work.

2286. Did you vote for Mr. Hardcastle at the last Bury election?—I did.

2287. Which way did you vote at the election before?—I never had a vote for a Member before.

2288. We understand that your wife goes out charing?—She do.

2289. During the election where were you at work?—At different places; sometimes at home, and sometimes at other places where I am employed; I am my own master.

2290. Did any one canvass you for your vote?—Mr. Oakes came, and so did Mr. Hardcastle once, and Lord Jermyn.

2291. Did you promise any one?—I never promised either.

2292. Nor Lord Jermyn?—No.

2293. You did not promise either of them?—No.

2294. Did anybody else canvass you beside Mr. Hardcastle?—No; Mr. Collins, I believe, came with Mr. Hardcastle, and some Flewer came with Lord Jermyn.

2295. Is that the only time Mr. Hardcastle came, when he came with Mr. Collins?—No.

2296. You did not promise then?—No.

2297. Between the time that they came and the time of the election, had no one asked you to vote for Mr. Hardcastle?—No.

2298. On the day of the election, did any one ask you?—No.

2299. When did you make up your mind to vote for Mr. Hardcastle?—About an hour before I voted.

2300. No one came to ask you whether you had made up your mind before then?—No; I was alone at home; I was in the Half-Moon tap, having a glass of beer, close to my own house, when they came to me.

2301. Did no one ask you to go to vote?—No, not until they came to me.

2302. Who came for you?—Ransom and Baldwin drove up in a cab.

2303. They came in a cab?—Yes.

2304. Did you make up you mind then?—Yes; there was nobody knew, half-an-hour before I voted, who I was going to vote for.

2305. Do you know the Fleece?—Yes.

 2306. Did

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2306. Did Peckham, the landlord, ask you to vote?—No; I never spoke to him.

2307. Did he speak to you?—No.

2308. Not on the day of the election?—No, I never saw him.

2309. Do you know how much your wife had for this charing?—Yes.

2310. How much?—Thirty shillings.

2311. You never had any of it?—No, she spent it in her own domestic affairs.

2312. What time of the day was it that you voted?—I believe it was about 12; I cannot say exactly; I think it might be perhaps half-past 12.

2313. Did Baldwin or Ransom bring any message to you?—Not any.

2314. They merely said, "Come along"?—Yes; they might have said, "Pawsey, are you going to vote?" I said, "Yes." When I voted, I said, "You must give me a drive back."

2315. Was that all?—I took them into the tap, and treated them to a pot of beer.

2316. No one treated you?—No, I treated them; and they said, "Pawsey, you are the only one that has asked us to drink to-day."

2317. Were they voters?—No.

2318. Did you know Baldwin and Ransom?—No, I did not know who they were.

2319. Why did you treat them if you did not know who they were?—I did not know them.

2320. Do you treat strangers?—They are friends of mine; I did not know who they were going to vote for; I did not know that they had a vote; Baldwin drove the cab; I did not know whether he had a vote no more than I did Ransom; I never asked them any question.

2321. How long after that were you in the Half Moon when they came and asked you to vote?—They asked the ostler; they wanted him to go for me; some one said Pawsey is in the tap.

2322. You went out and voted?—I went out and voted.

2323. You had no conversation with anybody about your vote?—Not any one.

2324. Not with your wife?—No; she did not know how I was going there.

2325. Nor how you were going to vote?—No.

2326. Do you know Noel Stebbing?—Yes, I do, right well.

2327. Did not he ask you for your vote?—He asked me to vote for Mr. Oakes.

2328. What did you tell him?—He said, "Have you promised?" I cannot tell you what I said to him.

2329. Did not you promise him to vote for Mr. Oakes?—No, I am sure I did not; I never promised him.

2330. You do know Noel Stebbing?—I know him right well.

2331. Did you promise Noel Stebbing that you would vote for Mr. Oakes?—No, I did not; I am sure I did not.

2332. Did you tell Noel Stebbing that you were going to vote for Mr. Oakes?—No.

2333. Did you tell him that you were going to vote for Mr. Hardcastle?—No.

2334. What did you say to him about your vote?—I will tell you; he said, "Have you promised anybody, Pawsey?" I said "No;" then he said, "If you do not want to promise, I will send Brown or some one from Oakes's party to you;" I said, "Oh, very well;" and that is all I said; I never see him until three weeks after the election from that time.

2335. Did Noel Stebbing say anything to you about your wife where she was?—No, he never mentioned my wife.

2336. After the election, had you any conversation with Noel Stebbing?—Not for three weeks, and then I never spoke about anything of that sort; I might ask him how he was.

2337. Had you any conversation about your vote with Stebbing, except what you have told us?—No, I do not recollect mentioning it.

2338. Try and recollect; did you tell Noel Stebbing that you thought you should vote for Mr. Hardcastle?—No, I never told any one.

2339. Did you tell Noel Stebbing where your wife was?—No.

2340. Did

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2340. Did you ever tell Noel Stebbing that you had had 1*l.*?—No.

2341. Nothing of the sort?—Nothing of the sort; I never spoke to him from that day until a fortnight or three weeks after the election.

2342. Did you tell him a fortnight after the election?—I never did; I should have been a big liar if I had; I should have been like Noel if I told him that I had a sovereign if I never did.

2343. Did you tell him that you had a sovereign?—I did not.

2344. Did Noel Stebbing come and ask you to vote on the day of the polling?—No; I never saw him that day.

2345. You say that Peckkam, the landlord of the Fleece, never saw you that day?—I never saw him; I only went into the tap that morning, and I had half a pint of beer; and I was off to my work that night till 10 o'clock.

Cross-examined by Mr. *Atkinson.*

2346. You told my leared friend that your wife did not know how you were going to vote?—She did not know when she went out.

2347. You had no conversation with her about it?—She knew that I had not made up my mind.

2348. Was it after the election was over that you knew she had 30 *s.*?—I think nearly a fortnight after.

[The Witness was directed to withdraw.

Mr. *William Clark*, called in; and having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mr. *W. Clark.*

2349. I BELIEVE you are a shoemaker?—Yes.

2350. What street do you live in?—Cornhill.

2351. Do you know James William Clark?—Yes.

2352. Do you recollect seeing him a few days before the election in your shop?—Yes.

2353. Did he come into you alone, or with any one?—He came in, but beckoned another one after him.

2354. Was that other one a man by the name of Feakes or James?—James.

2355. Henry James?—I believe it is.

2356. Did you hear James say anything to him when he came in?—Yes.

2357. When he came in, did you hear James say something to him?—I do not remember what James said; he said something, I believe to Mr Clark.

2358. What did Mr. Clark tell him?—I do not recollect what Clark said.

2359. What did Mr. Clark do to him?—He gave him some money.

2360. Do you know what that amount was?—I think I understood it was 8 *s.*; I think I recollect that.

2361. Did you make any observation at the time?—I did.

2362. What was it you said?—I said, "What you have not begun bribing already," merely in joke of course.

2363. Whom did you vote for?—Lord Jermyn and Mr. Hardcastle.

2364. You did not hear what passed between James and Clark?—No; I do not recollect now the answer. Mr. Clark will make it right; that will do, or make it right.

2365. You do not know what James said to him?—No, I do not.

2366. Did James go away after he had got the money with Clark or did Clark stay, or did they both go away together?—I think both went away together.

2367. Did James William Clark ask you for change?—No.

2368. Was any one else in your shop besides yourself?—No one but myself.

2369. What time of the day was this?—I really cannot say.

2370. About?—I really do not know whether it was the fore part or the after part of the day.

2371. Probably you cannot tell me what day it was exactly?—No.

2372. Have you known Henry James?—I have had him pointed out to me.

2373. At that time, did you know Henry James?—I did not know his name.

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2374. Was James William Clark in the habit of coming to your shop?—He is a customer of mine.

2375. Was he ordering anything of you?—No.

2376. He came and beckoned James; then the transaction you have spoken to took place, and they went away together?—Yes.

2377. You did not see any paper produced at that time, or anything of the sort?—No.

2378. How long did this take; perhaps not so long as I have been talking to you?—Not more than half a minute.

2379. What street is your house in?—In Cornhill.

2380. Is that a public place?—It is as public as any place.

2381. It is a thoroughfare?—Yes, it is a thoroughfare.

2382. Is it one of the main streets in Bury?—It is one of the main parts of the town.

2383. You cannot tell me what time of the day this was?—I cannot.

Cross-examined by Mr. *Atkinson.*

2384. You say that when you made that observation you did it in joke?—Certainly.

2385. You had no reason for making it, except in the spirit you have stated?—None at all.

Re-examined by Mr. *Rodwell.*

2386. You would not say "begun bribery already," every time you see one man give another money?—Certainly not.

2387. Did you know that Clark was an active politician in Bury?—Yes.

2388. Did you know that he was canvassing for Mr. Hardcastle?—No, I do not know.

2389. What part in politics does he take?—I know he was friendly to Mr. Hardcastle.

2390. Did you make the same observation during the election about bribing to any other person?—I am not aware.

Examined by the *Committee.*

2391. How do you know the sum was 8*s.*?—I think I heard him say so.

2392. Who?—Mr. Clark.

2393. What did he say?—I think he said, "There is 8*s.*, that makes it right."

2394. What connected the 8*s.* in your mind with the electioneering?—Do you mean as to making the remark.

2395. What connected the subject of the election with that 8*s.* more than any other subject in the world?—I do not exactly understand.

2396. What made you think that 8*s.* had anything to do with electioneering?—I did not think about it, it was merely a joke, I did not know whether he owed it to the man or not.

2397. How many days before the election was it?—I cannot say.

2398. Was it a week?—I do not know.

2399. Did James make any observation to Clark before Clark gave him the 8*s.*, in your hearing?—No.

2400. He came to the shop and put the 8*s.* in his hand?—Yes.

2401. Was that all that passed?—That was all that passed.

2402. Did James say anything previously?—He said something, but what I could not hear. I was paying very little attention.

2403. You do not recollect what it was?—No.

[The Witness was directed to withdraw.

Mr. *Rodwell* applied to the Committee that Mrs. Pawsey might be recalled.

Mrs. *Frances Pawsey* was called again.

Mr. *Rodwell* stated that he wished the Committee to ask the witness whether she had made any observations to Noel Stebbing, when she left the room, with regard to the evidence she had just given, and what it was.

Mrs. *F. Pawsey.*
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2404. By the *Committee.*] DO you know Noel Stebbing?—Yes, I do.
2405. Did you see him after you left the room?—Yes, I did.
2406. Did you speak to him?—Yes, I did, after my husband came out.
2407. Did you before your husband came out speak to him at all?—No, I did not.
2408. Were you and your husband together when you spoke to him?—No.
2409. Had you spoken to your husband previously?—I said, "How do you get on." He said, "All right, a good for nothing villain," he said, "Noel Stebbing."
2410. Did you say anything to Stebbing?—Yes, I did, after my husband spoke.
2411. What did you say?—What I do not wish to say here; I dare say the gentlemen know what it is.
2412. Tell us what it was?—I cannot.

The *Committee* inquired whether Noel Stebbing was to be called as a witness.

Mr. *Rodwell* stated, that according to the ordinary rules of evidence he could not call one witness to contradict another. But the statement which had been made by the witness to Noel Stebbing, he thought, was a statement which would probably induce the Committee to ask Stebbing some questions with reference to this very case. If his learned friend did not object, he would call Stebbing upon Pawsey's case.

[The Witness was directed to withdraw.

The words alleged to have been used by the witness to Noel Stebbing were written down and handed to the *Chairman* by Mr. *Rodwell.*

The Witness Mrs. *Pawsey* was again called, but did not answer to her name.

John Feakes was called in; and having been sworn, was examined by Mr. *Rodwell,* as follows:

John Feakes.

2413. YOU are a voter for Bury?—Yes.
2414. Do you keep the Bricklayer's Arms?—Yes.
2415. It used to be called the Marquis's Arms?—Yes.
2416. Is it a beer-house or a spirit-house?—A beer-house.
2417. Do you know Scates?—Yes.
2418. And James?—Yes.
2419. A few days before the election do you recollect their coming to your house?—They generally do come when they are round that way for a walk.
2420. Confine yourself to the time previous to the election. Do you remember Scates and James coming to your house a few days before the election in the evening. Do you recollect the election?—Yes, I do.
2421. Do you recollect a few days before the election Scates and James coming to your house?—They might come.
2422. Do you recollect their coming?—Yes, they did come, as they might at other times.
2423. What time in the day are they in the habit of coming?—Sometimes they come Monday, sometimes Tuesday; shoemakers and tailors generally make Mondays and Tuesdays.
2424. Were they at your house the Monday and Tuesday before the election?—I am not always at home.
2425. Confine your attention to the times when you were at home. Do you recollect, a few days before the election, upon one evening Scates and James coming to your house?—Yes.

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2426. Can you tell me whether that was the Friday before the election?—No.

2427. Did they come in with others or alone?—There may have been five or six with them.

2428. Did they come in with five or six other people at other times?—I cannot tell; sometimes I was not at home when they have been there.

2429. When you were there, how many times did you see them come yourself with five or six other people?—Six or seven of them.

2430. How many times?—I should say they have been at my house going on for these three months. They found me out, and as they went down to my other house; they used to come to my other house.

2431. Were they in the habit of coming, five or six people, three months before the election?—Yes.

2432. Every week?—Not every week.

2433. Every month?—Perhaps once, or two, or three times a month.

2434. Do you mean to represent to the Committee that Scates and James, with a party of five or six, used to come to your house three months previous to the election?—Yes.

2435. That you mean to state?—Yes.

2436. You recollect just before the election you told me they came in?—Yes.

2437. Did they come in to drink?—Yes, they came to drink the same as usual.

2438. When was the last time, before the time you mentioned, you had seen Scates and James, with any people at your house, before the time you have mentioned, when you recollect seeing them just before the election. Had they been there a month before then?—Yes.

2439. You recollect that?—Yes.

2440. How lately before?—I should say perhaps it might be a week; I did not keep count of them; they came in when they liked; I did not keep my door shut.

2441. Did Scates and James only pay for the beer which they had?—Scates used to do.

2442. That is the man with the nickname "Swanks"?—Scates is his right name.

2443. Did Scates pay for his beer, when he came with James and the rest of the party?—I never saw James pay for much.

2444. Scates paid for the party?—He paid as far as he had got, and t'other, paid for some.

2445. How do you mean?—They paid amongst them.

2446. I thought you said Scates paid for the party?—Scates paid as far as his money would go.

2447. Who paid the rest?—The others.

2448. Did each pay their own share?—They used to pay among them.

2449. Did Scates pay for the party, or did they each pay for themselves?—Scates used to pay for what is his name, James.

2450. That is what you mean?—Yes.

2451. Scates did not pay for anybody else but James?—No.

2452. You were wrong in saying that Scates paid for the party?—He paid just as the other parties used to pay; sometimes for James.

2453. James used not to pay for himself?—Not very often.

2454. When Scates and James came with these parties, Scates paid for James and the others paid for themselves?—Yes.

2455. You recollect Scates and James coming before the election?—Yes.

2456. Were you at home at that time?—Yes.

2457. Upon the occasion to which I refer, did Scates or James pay for the party?—No; they paid alike, I believe, that time, that morning. I did not take the beer in; my missis always sees after the business at home; it is not often I am at home.

2458. Just attend to me. I am talking of the time you were at home; it was not in the morning; it was in the afternoon, was not it?—I was not at home in the afternoon.

2459. You say your wife took the bill?—Bill?

2460. Did you say your wife took the bill?—I should be very sorry to let them have a bill.

2461. Who,

2461. Who, Scates?—There never was no bill; they did not want a bill for the pint or two of beer which they called in.

2462. Who canvassed you for your vote?—Mr. Hardcastle and Mr. Collins.

2463. Anybody else?—No; I will swear it.

2464. What day was that?—That I cannot tell.

2465. Were you canvassed more than once?—No; for no party; no other.

2466. You cannot tell me much about before the election. On the morning of the election, do you recollect James and Scates coming to your house?—Yes; I was at home.

2467. Who came with them?—Scates and James.

2468. Holden?—Mr. Holden.

2469. A man by the name of William Clark?—Yes, that is right; and I believe they were the only ones beside; I had friends of my own.

2470. Did you go with them to the poll; the party I have just mentioned?—No.

2471. Who did you go with?—I went along with Mr. Holden; Mr. Holden had nothing to do with that party.

2472. Did not they come in together?—Not along with Mr. Holden, they did not.

2473. I ask you whether Scates and James, Holden and Clark, were all in your house together?—Yes.

2474. Who did you go to the poll with?—I told you just now; Mr. Holden.

2475. Did Mr. Holden come that morning after you for your vote?—No.

2476. What did he come for?—Because we are neighbours; we deal with each other.

2477. He is a grocer, is not he?—Yes.

2478. Did he say anything to you about your vote?—Not a word; I will swear it.

2479. You mean that he did not on that morning; at any other time did Mr. Holden say anything about your vote?—No.

2480. Did Scates say nothing to you about your vote?—I do not trouble myself about such a man.

2481. Did you say anything to Scates about your vote?—He asked me what time I was going.

2482. Who?—Scates and James Clark.

2483. What time did you tell them?—I told them eleven o'clock.

2484. What day was that?—The same day that the election was.

2485. Had they asked you before for your vote; how you were going to vote, or how you were going?—Yes, the same night that they were up.

2486. Did not you go up to the poll with Scates and James from your house?—They followed me, but I did not want them; I did not ask them to go with me.

2487. I ask you, did they go with you up to the poll?—They might.

2488. You told me just now that Mr. Holden went up with you alone; did not Scates and James go with you to the poll?—I did not want no one; a parcel of tailors and shoemakers.

2489. Did not you go up on Scates' arm?—No, I did not; I will swear it.

2490. You will swear that?—Yes, Mr. Holden and I was together all the while; they was walking behind. If a man comes and catches hold of your arm you cannot help that.

2491. I ask you again, had Scates and James spoken about your vote; you said they had on the evening that they came up?—Yes.

2492. Was that the first time?—Yes; they asked me who I was going to vote for, and I told them the same as other men, I told them.

2493. Was that the first evening they came up just before the election; how many days before the election was that?—I do not keep count; I do not put them down.

2494. Did they the second time they came speak about your vote?—In the morning they did.

2495. How had you voted before?—I always voted for the other party before.

2496. Were you canvassed by the other party this time?—Not a bit; I never saw Mr. Oakes at all.

2497. Nor any of his party?—No.

2498. On the morning that Scates and James came, you say they did not take you,

John Feakes.

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you, but went with you to the hustings; what had they to drink that day?—At mine.

2499. Yes?—I think they had pints all round.

2500. Who paid for it?—I did not take it; my misses took the money.

2501. Were Scates and James good customers of yours?—They generally called as they did when I were at the other house; they used to call for a pint when they were that way.

2502. You told me that Scates paid as far as it went; was that a mistake?—As far as that goes, if one had not got the money t'other paid for them.

2503. Do you recollect, upon one occasion, when Scates and James had not the money some was left unpaid?—They should not have ordered beer in.

2504. Do you recollect the company there calling, and their having more than they could pay for then?—No.

2505. What did your mistress take in then; was there a score or not?—I do not know.

2506. You told me just now you could not serve it, your mistress took it in; took in what?—I believe I saw her take in a quart of beer; that was nothing at all to do with the election.

2507. Do you know James William Clark?—I know him.

2508. The hall-keeper?—Yes.

2509. You know him?—Yes, have done for years.

2510. Do you recollect seeing him about the time of the election?—Seeing Mr. Clark.

2511. Yes?—I often see him.

2512. Do you recollect seeing him a few days before the election talking to him?—I am sure I cannot tell you.

2513. Do you recollect his talking about voting?—He never asked me which way I was going to vote.

2514. Do you recollect a conversation about your vote?—I never had none.

2515. No conversation?—No.

2516. Did you talk about the election with Clark?—No.

2517. That you are sure of?—Yes.

2518. Not during the election week?—No.

2519. Never spoke to him about it, nor he to you?—No, not to know which way I was going to vote.

2520. I ask you whether you had any conversation with Clark, or he with you, about the election; I will not say about your vote?—No.

2521. You think the election was not mentioned between you and Clark?—No.

2522. That you swear?—No, nor no one else.

2523. You told Scates and James?—They were not voters; I do not count them men at all; they had not got no vote.

2524. I did not ask you about their votes; I ask you again whether you had any conversation about the election with James William Clark the week before the election?—No.

2525. Are you positive of that?—None at all.

2526. Not about your vote, about the election?—Not to the best of my knowledge.

2527. You may have, and forgotten it?—No, I never had.

2528. You are sure of that?—Yes.

2529. You are sure you had no conversation with James William Clark about your vote, anywhere?—Anywhere, nor yet no one else.

2530. Except Scates and James?—I told you, I say no voters never knew which way.

2531. Except Scates and James. Did you say also no one knew till you voted how you were going to vote?—Till I told Scates, no voter.

2532. You told no one else?—Not till next morning.

2533. Not till the polling day?—No.

2534. When you told Scates was not James present?—Yes.

2535. Scates and James almost came together?—There were some four or five of them; I do not know that I see Scates come into my house when James was present.

2536. I thought you said they had been in the habit of coming into your house three months together?—Yes.

2537. Was

2537. Was not James there when you told Scates, on the morning of the polling day?—Yes, I told you he was there.

2538. You told nobody except Scates and James till the morning?—I told you the night.

2539. How came you to tell Scates and James you were going to vote, but nobody else?—They asked me which way I was going to vote.

2540. You told them then you had made up your mind?—Yes.

2541. You told nobody else?—No.

2542. Not till the night before the polling; whom did you tell then?—Scates.

2543. The night before the polling?—That was the night before the polling.

2544. I thought you told me just now in the evening when they came in together, in the election week they had a conversation with you about your vote?—No.

2545. That is a mistake?—Yes.

2546. You are sure you never spoke to William Clark, or he to you?—Nor he to me, nor no one else.

2547. Except Scates and James?—They are no voters.

Examined by the *Committee*.

2548. I understood you to say just now that Scates and James with a party were there the evening before the election?—Yes.

2549. I thought you said you could not remember when it was; was it the nomination day they were there?—It was the night before election.

2550. Do you mean before the polling day, or before the nomination?—It was before the polling day, the night before.

2551. The night before the polling day, was it so?—It was the night before the election.

2552. Which day; there is the nomination which is the election, if there is no poll, and the polling day, which you do mean?—Before the polling day; that is before the polling day.

2553. Was it in the evening that you say they came with a party of five?—Yes.

2554. Are you quite sure of that?—Yes.

2555. Had they been with any party the week before?—Yes, I believe they had.

2556. Had they been with any party before; how long before?—four or five days.

2557. To the best of your belief they had been with a party before?—Yes; I knew them all. They always used to come to mine, to the house where I was, that I did not take notice.

2558. Are they people of the same trade, tailors, and shoemakers; they had a party of those two trades?—Yes.

2559. They were in the habit of coming to your house?—Yes.

2560. On that occasion did Scates pay more than the rest, or did they all pay share and share alike?—They used to pay for one another; perhaps one had not got the money.

2561. That night before the election; did Scates pay for several people, or only for himself and James, or with the general party?—I think he paid for James that night.

2562. Do you remember whether the others paid for themselves that night?—Yes; they did not pay me; they paid my mistress. That is her business. I always leave that business to my mistress. I do not interfere with that.

2563. But more men than one paid on that occasion?—Yes.

2564. Do I understand you to say no person canvassed you for Mr. Oakes?—No.

2565. No person?—No, I never see no person; that was a card left, but I never see nobody ever come to speak to me.

2566. You have always voted for that party?—Yes.

2567. Several times?—Yes.

2568. Nobody of that party you usually voted with asked you for your vote this time?—I will swear only Mr. Hardcastle.

[The Witness was directed to withdraw.

Mrs. *Frances Pawsey* was again called in; and further Examined by the *Committee*, as follows:

Mrs. *F. Pawsey.*

10 July 1857.

2569. WE ask you what you said to Noel Stebbing on going out; what was it?—"Humbug."

2570. It does not matter what you meant by it what were the words that you used?—"Humbug."

2571. Was that all you said?—Yes.

2572. Did you use no other word to him but that single word?—I said he was "an old humbug," and so he is.

2573. You used no other words whatever?—No, I did not.

2574. Did you say, "you are come up against my husband to transport him"? No, I never said "transport him."

2575. Did you say, "You are come up against my husband"?—A gentleman said, "What is amiss?" I said, "He has come up against my husband yesterday; I would not speak to him;" he said, "Would not you speak to me;" I said, "How do you do, Mr. Stebbing;" that is all I want with you.

2576. When you said, "You are come up against my husband," did he say, "How do you know what I have come up for"?—No; he sat in the corner, and never spoke.

2577. Did you say to him these words, "There is no one knew it but you"?—No.

2578. Nothing of the sort?—No.

2579. Have you told us all that passed between you and Stebbing?—Yes.

2580. Why did you tell us just now that the only words you used to him were calling him an old humbug?—Yes.

2581. The Chairman asked you if you had said anything else, and you said, "No"?—Yes.

2582. Did you say anything beyond calling him an old humbug?—No.

2583. You said nothing beyond that?—I did not; I do not know what my husband said.

2584. Did you say anything beyond calling him an old humbug?—No.

2585. Who was the person to whom you said, "He has come up against my husband"?—I said it right before all those gentlemen outside.

2586. Do you know who it was?—No; I saw some gentleman move in afterwards; who it were I do not know; I did not take any notice.

2587. What did you say?—I did not say anything to him only what I have said.

2588. You said that you said something?—Not to the gentleman.

2589. Who did you say it to?—I did not speak to the gentleman.

2590. You told us just now that you said, "He is come up against my husband"?—I said, "The old humbug, he is come up against my husband"

2591. You said that to him?—And to others.

2592. Did he say anything?—He never spoke to me.

2593. You said nothing else beside that at all?—No, not to him.

2594. Why did you object to tell us what you said?—Because I was angry when I see my husband said a word to, when I knew what I did.

2595. Did you say, "There is no one knew it but you, Noel"?—No.

2596. Will you swear that you did not use those words?—No; I was very hot at the time; that was the reason I did not wish to tell the gentleman again. I have got a feeling for my husband, as well as you have for your lady, if you have got one.

2597. What made you say that he had come up against your husband?—Because I understood he said I carried a sovereign home to my husband upon that day the election was.

[The Witness was directed to withdraw.

The *Chairman* stated that the feeling of the Committee was that the two last witnesses had not given their evidence in a very satisfactory manner, and therefore no objection ought to be taken to Noel Stebbing being called.

Mr. *Atkinson* stated that he would leave the matter in the hands of the Committee.

Noel Stebbing was called in, and having been sworn, was Examined by Mr. *Quain*, as follows:

Noel Stebbing.

10 July 1857.

2598. YOU are a painter, living at Bury St. Edmund's?—Yes.

2599. Do you know Robert Pawsey?—Quite well.

2600. Do you recollect meeting him on the Monday after the election?—Yes, quite well.

2601. Where was that?—At the Fleece.

2602. Tell us what passed between you and him upon that occasion?—We were drinking together, and I made a remark to him; I says, says I, "You promised previous to the election that you would vote the same as I have done," and he said, "Yes, I did, but I altered my mind." I instantly says, says I, "Well, I suppose the other side paid you the best."

2603. What did he say to that?—He said to that, says he, "I did not get anything." I said, "Perhaps your wife did." He answered, "I do not know what she got; all as I know is, I had a sovereign for myself."

2604. By the *Committee.*] He said that?—He said them words.

2605. Mr. *Quain.*] What did you say when he said that?—That stopped the argument; I only merely laughed; I did not go further than common conversation after that.

2606. Was the name of Peckham, the landlord of the Fleece, mentioned between you?—Peckham was in the room.

2607. Was anything said about Peckham?—Yes, Peckham said "he went for him to vote."

2608. Was this in Pawsey's presence; was Pawsey present when Peckham said that?—Yes.

2609. What else did he say?——

Mr. *Atkinson* stated that Peckham's name was not in the list.

2610. Mr. *Quain.*] Was anything said about a message from his wife?—Yes.

2611. Who said that?—Peckham said he had orders from his wife to go for him to vote for Mr. Hardcastle.

2612. This was said in Pawsey's presence?—Yes.

[The Witness was directed to withdraw.

Mr. *Atkinson* objected to the course of examination that the witness Pawsey had not been examined with respect to any transactions between him and Peckham.

The Shorthand Writer was directed to read portions of the evidence given by Robert Pawsey.

The *Witness* was again called in.

2613. Mr. *Quain.*] Did you say anything to Pawsey about his wife having an order for cleaning?—No.

2614. Was that referred to at all in the course of conversation?—It was the furthest I said in conversation; Peckham said that he would have an order from his wife.

2615. Was anything said about his wife having an order for cleaning the committee-room?—Not the time that I was there; I never heard it.

2616. Did you see him at any time but that?—I heard of it afterwards; I do not understand your question exactly.

2617. At the time of this conversation at the tap-room of the Fleece, was anything said about Pawsey's wife having the cleaning of the committee-room?—No.

2618. I think you told me that Peckham went to fetch Pawsey to vote?—Yes.

2619. Did he say, in Pawsey's presence, who sent him to fetch him to vote?—He said he had orders from his wife to go and fetch him up to vote, and he went and fetched him.

2620. Was anything said about your going to fetch him up to vote if you had gone?—No, nothing.

Noel Stebbing.

10 July 1857.

2621. Mrs. Pawsey said something to you this morning outside the Committee-room door, when she came out, after giving her evidence; what did she say to you?—When she came out, she said I was an old false-swearing man, and that I was going to transport her husband; she made some other remark, that she would blackguard me, or do for me something, I did not understand what it was. I says, "How do you know what I came up for; I have not given my evidence yet." She says, "I know what you have come up for very well; there is nobody else know it."

Cross-examined by Mr. *Atkinson.*

2622. What are you?—A painter and paper-hanger.

2623. Are you a voter?—Yes.

2624. You voted for Mr. Oakes, I believe?—Yes.

2625. Were you employed by him or his committee?—By the committee.

2626. What were you employed as?—As a messenger.

2627. What did they give you for the day?—Half-a-guinea for one day; I was employed on the polling-day.

2628. Do you know a man of the name of George Clark, of Barton Mills?—Yes.

2629. Do you know a gentleman named Beard, an ironmonger?—Yes.

2630. Coupling these two names together, let me refresh your memory a little; go back as far as the year 1851; did you ever get any goods in the name of Mr. George Clark at the shop of Mr. Beard, the ironmonger?—Yes, for him.

2631. Will you swear that you had any authority from him to get those goods?—Yes.

2632. Will you swear that?—Yes, I was at work for him.

2633. You will swear that you had authority from Mr. George Clark to go to Beard's, the ironmonger, and obtain goods; do you mean to say that you had authority from him to do that?—I had no authority to get what I got that day.

2634. Did not Mr. Beard threaten to prosecute you?—No.

2635. Will you swear that Mr. Clark did not threaten to prosecute you?—Mr. Clark came to me, and I went up along with him and paid for the things.

2636. Did Mr. Clark threaten to prosecute you?—He said I had no business ——

2637. Did Mr. Clark threaten to prosecute you?—No.

2638. Just recollect; it is a long time ago; do not be hasty in giving your answer?—He might have said so; I cannot say; I do not recollect.

2639. Will you say that he did not?—I will not say that he did not.

2640. Is it your belief that he did?—It might be my belief that he did.

2641. Did not you pay the money for those goods?—Yes.

2642. To whom?—To Mr. Beard.

2643. Was not that after you were threatened for obtaining goods under false pretences?—Yes.

Re-examined by Mr. *Quain.*

2644. How long after did you pay?—Directly. These things were had on the Tuesday, and on the Wednesday Mr. Clark came to Mr. Beard. Mr. Beard told Mr. Clark respecting my having these goods, and Mr. Clark came in a hasty sort of manner and he said he could prosecute me, or would, I will not be sure which it was; I went immediately and paid him.

2645. You went up together?—Yes, and paid him then and there. Mr. Clark, of Barton Mills, and me are the best of friends; I work for him now.

Examined by the *Committee.*

2646. Was anybody present when Pawsey told you he had the 1 *l.* for himself?—No, I do not think Peckham was present in the room at the moment.

2647. Was anybody present?—No.

2648. Was anybody present outside when this passed between Mrs. Pawsey and you?—Yes.

2649. Could anybody hear it?—Yes.

2650. Who could hear it?—Mr. Armstrong, the printer, sat next me; he heard the whole conversation.

[The Witness was directed to withdraw.

Mr. *William Armstrong* was called in; and, having been sworn, was Examined by the *Committee*, as follows:

Mr. *W. Armstrong.*

10 July 1857.

2651. WERE you in the passage just now when something passed between Mrs. Pawsey and Stebbing?—I was.

2652. Did you hear it?—I heard her abusing Stebbing.

2653. Can you tell us what she said?—I think the words were, "You will be the death of my husband." She used a good many other epithets to him, but I cannot repeat the words; she treated him in a very bad manner.

2654. Did he say anything?—The only remark he made was, "How do you know that I have sworn anything, for I have not been in yet."

2655. What did she say to that?—She continued to abuse him.

2656. Can you remember the words she used at all?—No.

[The Witness was directed to withdraw.

Mr. *Atkinson* stated that he wished to ask Robert Pawsey a few questions.

Robert Pawsey was again called in, and further cross-examined by Mr. *Atkinson*.

Robert Pawsey.

2657. DO you ever remember being with Noel Stebbing at the Fleece?—Yes, I have been there.

2658. On the Monday after the election?—I do not recollect.

2659. Did you at any time say to him, in answer to a question about what your wife had, "I do not know what she got; all I know is, I had a sovereign for myself"?—I never said such a word to him in my life; I could not, because I never had it, nor yet see it.

2660. Did you at any time hear Peckham say that he brought orders from your wife to take you up to vote for Mr. Hardcastle?—I never see Peckham.

2661. By the *Committee.*] Who is James Brett?—He is a bricklayer.

2662. Do you know him?—Yes, quite well.

2663. He keeps your books, we understand?—He do a little writing for me when we have any.

2664. You saw this bill of Mrs. Pawsey's against Mr. Collins, did you?—I see it after Mr. Brett made it.

2665. Can you read?—I cannot read that writing; I am no scholar. My wife did not understand who to make the bill to; she thought it was proper to make the items of what work she had done, and how she was paid. If the gentlemen have got anything to ask me respecting of it, that is all I have to say.

2666. Did you see more than one bill?—We have got a copy of it.

2667. You did not see two separate bills?—I do not know; I did not see it made nor nothing; I was not at home.

2668. Have you seen two separate bills made out about that time?—I did not see any made; I was not at home.

2669. Have you seen two separate bills?—No; I see this bill as was brought here; I knowed it was made and copied into the book; and I know that is the money my wife had; and I know that is the work she done.

2670. Did you ever see any other bill?—No; I do not know nothing about it.

[The Witness was directed to withdraw.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 11° *die Julii*, 1857.

THE Names of the Members were called over; all present.

WILLIAM HARDY, Esq., IN THE CHAIR.

Mrs. *Frances Cullum* was called in; and having been sworn, was Examined by Mr. *Rodwell*, as follows:

[Mrs. *F. Cullum*.

11 July 1857.

2671. YOU are the wife of John Cullum?—Yes.

2672. He is a voter, I believe?—Yes.

2673. Do you recollect Mr. Hardcastle calling to canvass him for his vote?—Yes.

2674. Did he call more than once?—He called twice.

2675. Do you recollect how many days before the election was the first occasion of his calling?—I do not recollect how many days it was the first time; it was three days the last.

2676. Was the other a few days before?—A few days.

2677. Did he come alone?—No; Mr. Le Grice came the first time.

2678. Any one else?—No.

2679. Did he see your husband?—Yes.

2680. Did your husband promise his vote?—No, he did not.

2681. Upon the second occasion you say it was three days before the election?—Yes.

2682. Was Mr. Hardcastle alone?—No; Mr. Collins was with him.

2683. Was your husband at home?—Yes.

2684. Was that the last time of their calling?—Yes; the last time.

2685. What time of the day was it?—It was between twelve and one.

2686. What did your husband say about the vote then?—He told them he had not promised it.

2687. And he did not promise?—He did not.

2688. Do you know a person of the name of Samuel Wilson?—Yes.

2689. Where does he live?—In Peas-porridge Green.

2690. How far from your house?—About five minutes walk.

2691. Do you recollect his coming to you the same day Mr. Hardcastle and Mr. Collins had called?—Yes; he came about three o'clock.

2692. How soon after they had left you?—They might be gone about an hour, or an hour and a quarter.

2693. Who did Wilson inquire for?—For my husband.

2694. What did he say?—I asked him what he wanted.

2695. Tell us what passed?—He asked whether he could see my husband; I told him, no; he was gone out.

2696. What did he say to you then?—He said he wanted to speak to him concerning his vote.

2697. Did you at that time, or rather your husband, owe Mr. Wilson any money?—Yes; I owe him money now.

2698. You have a running account?—Yes; we pay once a month.

2699. What is he?—He is a baker.

2700. You sell bread?—I sell bread for him.

2701. Go on, and tell us what Mr. Wilson said to you?—He asked me whether I could get my husband to vote for Mr. Hardcastle, and if I did he would give me 10*l.* off the book, and 10*l.* to go on with in the business.

2702. Go on?—I told him I would ask him when he came home, but I did not know anything about it.

2703. Was anything said about your husband going to see Wilson?—Yes; he told me to get my husband to go in there that night, about eight o'clock.

2704. Where?—Into Mr. Wilson, and some parties would meet him there. I told my husband when he came home.

2705. What

Mrs. *F. Cullum.*

11 July 1857.

2705. What more did Wilson say about his being with him?—He said he would give him 20*l.*; that would be the most he would give whether he voted or not.

2706. Did you see Mr. Wilson again?—I never saw him after that.

2707. Tell us what more Wilson said about who was to go up to vote?—He said he would call for him the morning of the poll, and he could go up quietly and come home again, and no one would know anything about it.

2708. Did you tell your husband this when he came home?—Yes, I did. My husband said he did not want 20*l.* so bad to go the way he did not lead his inclination.

2709. Have you a little girl about 11 years old?—Yes.

2710. Is her name Helen?—Yes.

2711. Did you send her that afternoon, after Mr. Hardcastle and Mr. Collins had been with you, to Wilson's shop?—After a half stone of bread.

2712. Did you send her between the time of Mr. Hardcastle and Mr. Collins leaving your shop and Mr. Wilson coming to you?—I sent her almost directly; as Mr. Collins went out of my house.

2713. How long was she gone?—I sent her about 5 or 10 minutes.

2714. That was after?—After they left.

2715. Then Mr. Wilson came?—Yes.

Cross-examined by Mr. *Atkinson.*

2716. Where is your husband now?—My husband is in gaol, but he is there under false pretence; I cannot help that.

2717. I only want the fact?—The police ought to be there instead of him, it is only a row along with the police.

2718. The Bury police?—At any rate it is worse luck for me.

2719. Where is he in gaol?—In Bury St. Edmund's.

2720. The Bury police ought to be there?—Yes, one day we were in bed asleep when he came to our house; there is a flaw in the indictment; my husband ought not to be there at all.

2721. How long was he there?—Only last Monday he took his trial.

2722. Before a jury?—He wished to have it carried, to have it settled; he could have it settled at the Hall if he liked; he wished to have it carried.

2723. You mean he had his choice, and he preferred being tried by a jury?—Yes.

2724. I am afraid the jury found him guilty?—Yes, worse luck for me.

2725. How long is he in for?—I do not know yet, it is not exactly settled.

2726. I daresay you do know, being his wife, how long he is to be away from you?—I do not know one way nor yet another; it is not settled; he was committed six months hard labour, and it is going to be carried into the Crown Court.

2727. Has your house ever been indicted?—No, it is not.

2728. Think again?—I can swear that with a clear conscience; my husband never had a flaw in his character.

2729. Has your house ever been indicted?—No, sir.

2730. Have you been before the magistrates before?—No, none of my family nor yet my husband, never in our lives.

2731. Is that so, we can inquire?—You can inquire; I have never been up for anything, nor yet my husband, before.

2732. What is your house?—My house is a Tom and Jerry and grocer's shop.

2733. Is not it something worse?—No, it is not.

2734. Do you mean to say that no young women are there?—No, and never have been.

2735. Can you swear that?—I can; no further than any one coming in and drinking a pint of beer.

2736. Is not yours a lodging-house?—No, my house is not a registered lodging house, I do not take any women lodgers in.

2737. Do you take lodgers in?—No, if married men or women come, I take them.

2738. You take the married men and women if they offer themselves?—Yes.

2739. Is there not "Lodging-house" over the door?—No.

2740. Is it not?—No, only a sign-board for tea and tobacco.

 2741. I understood

Mrs. *F. Cullum.*

11 July 1857.

2741. I understood you to say although you are not a registered lodging-house keeper, yet you do occasionally take in married men and their wives?—We take anybody lodgers, we take anybody in that pays their expenses; I have no young women live at mine.

2742. Was there any body with you when Mr. Wilson came?—No, no one only him and me; a boy came in with him; he sent the boy forward out, and stopped behind himself; he and his boy had a pint of beer in the passage, and he came into the shop.

2743. Whom did your husband vote for?—Mr. Oakes and Mr. Jermyn.

2744. Just come back to the police for a moment; did the policeman, when he came to your house, come in search of suspected thieves?—No; he said he heard voices in the tap-room as he was passing.

2745. Nor anything of the sort?—Yes, my husband was up drinking; we had no one in the house but three men.

2746. They could not imprison your husband for that?—They did do.

2747. For that alone?—The police struck me, when I told him he was drunk, and my husband wrested the staff out of his hand.

2748. The man is not expected to live, is he?—Yes, he can walk about as well as you or I can.

2749. Was he expected to live at the time the charge was made?—There was only the charge that he made, nothing else.

2750. They would not take bail?—They did do it. I paid three bails; my husband was in gaol six days; the first time I paid bail my husband was in gaol six days.

Re-examined by Mr. *Rodwell.*

2751. If I understand you, your husband is now in gaol for an assault on the police?—Yes.

2752. Did that assault originate with the policeman coming into your house and insulting you?—He came in and insulted us; we were in bed asleep.

2753. Your husband took the staff out of his hand and laid it about him?—Yes, he was so rough he broke our door.

2754. After your husband had been in gaol, you got bail for him?—I got bail, Wednesday, the day that he was taken into custody, the Wednesday following.

Examined by the *Committee.*

2755. You say you told your husband what Wilson had said to you?—Yes, I did.

2756. He would give you 10*l.* off the book, and 10*l.* for your business; did your husband make any reply to that?—I told my husband, and he said he did not want the 20*l.* so bad.

2757. Did anything else pass between you and your husband?—I told him what Wilson said.

2758. He made that answer?—He did; he did not want 20*l.* so bad.

2759. Did Mr. Wilson come back?—No, he never came any more.

2760. Nor sent any message?—No.

2761. Your husband voted for Mr. Oakes?—Yes.

2762. Did you see Mr. Wilson walking about the town canvassing?—Never noticed him.

2763. When did you mention what had happened between you and Mr. Wilson?—When my husband got into this little trouble Mr. Wilson behaved very dirty to me; he said he would behave just as nasty to me, because I did not vote as I said.

2764. Was that after the election?—Yes.

2765. What happened between you and Mr. Wilson?—He told me as I should get nothing for not voting for Mr. Hardcastle.

2766. Was there any farther conversation about this 20*l.*?—No; at least he said we might have had it, and we should have had something to have gone on with; then Mr. Wilson told me I might have had it, and then we should have had something to have gone on with; that was about a fortnight after.

2767. When did you first mention this to anybody?—The first time it was named was after he behaved so unhandsome to us after dealing with him for eight years.

2768. I want

Mrs. *F. Cullum.*

11 July 1857.

2768. I want to know when you first mentioned what had happened between you and Mr. Wilson; how long after the election?—The next bill I went to pay; the next month's bill I went to pay.

2769. You were mentioning to Mr. Wilson?—Yes.

2770. Who did you mention this to; what had happened between you and Mr. Wilson?—To Mr. Boyden, a tradesman that lives next door to me.

2771. When did you mention it to him?—A fortnight or three weeks, at least as soon as my husband got into this muddle, about the 8th or 9th of April; the 8th or 9th; this occurred to my husband on the 7th of April.

2772. Where did you mention it to Mr. Boyden?—In Mr. Boyden's house.

2773. You went to him?—Yes; I went to him concerning Mr. Wilson as soon as my husband got into this muddle, he stopped me for a pound.

2774. Who stopped you for a pound?—Mr. Wilson stopped me for a pound.

2775. Then you went to Mr. Boyden?—I went to Mr. Boyden, and I told my tale; and he said, "Do you want a pound to carry on with." I said "No." He said, "Go on, and pay it; do not be stopped for a pound." I went and paid the money; then I told him what he had offered me in the election. I never spoke of it before, and I should not if he had not behaved unhandsome. I dealt with him ever since he has been in business.

2776. What was it made you quarrel with Mr. Wilson?—Because he stopped me for a pound; he did not send my bread; he sent it every day; he did not send the bread, and when I went to know the reason, he told me he should not send it till I paid up the pound that I left on the last month's bill.

2777. You paid a pound short the month before?—Yes.

2778. Was that after your husband was taken that you had that conversation with Wilson about the pound?—Yes.

2779. How long after?—My husband was taken the Tuesday night; this was the Thursday after my husband was gone to gaol.

2780. Was that the same day you told Mr. Boyden?—Yes, it was the same day I told Mr. Boyden.

2781. That would make the 9th?—Yes.

2782. Did you see Mr. Wilson at his own house?—Yes, when I carried my month's money I see Mr. Wilson at his own house; so I did when I went for the pound; that was the very day my husband was taken.

2783. How had your husband voted at former elections?—He always had voted for the Blues before.

2784. The same as he always did?—Yes; he had votes for other things.

2785. Do you mean at the municipal elections?—He voted for Mr. Armstrong once.

2786. He had not voted for the borough?—No, because we had not been in business more than five years; there has not been an election; if there had, my husband had no vote.

[The Witness was directed to withdraw.

Helen Cullum was called in; and, having been sworn, was Examined by Mr. *Rodwell* as follows:

Helen Cullum.

2787. YOUR mother is the last witness who has just gone out of the room?—Yes.

2788. Do you know Mr. Hardcastle when you see him?—Yes.

2789. And Mr. Collins?—Yes.

2790. Do you recollect seeing them at your father's house just before the last Bury election?—Yes.

2791. How many times?—Three times.

2792. Do you recollect whether your father or your mother were at home upon those occasions?—Yes.

2793. Which?—My mother.

2794. A few days before the election, do you recollect your mother sending you to Mr. Wilson's for some bread?—Yes.

2795. What time of the day was it?—Between twelve and one.

2796. When you got to Mr. Wilson's was anybody there?—Yes.

2797. Who?—A woman and two little girls.

2798. Did any gentleman come in?—Yes, as I was a coming out.

2799. Who was it?—Mr. Hardcastle and Mr. Collins.

 2800. Have

Helen Cullum.

11 July 1857.

2800. Have you seen Mr. Wilson talking to your father at his house before the election?—Yes.

2801. What day?—On the Tuesday.

2802. Could you hear what was said?—No.

2803. Was that the only time you saw Mr. Wilson, or did you see him again?—I see him again.

2804. Which day was that?—Thursday.

2805. Was your father there then?—Yes.

2806. What time was that?—Between three and four.

2807. Did you hear what passed between Mr. Wilson and your father?—No.

2808. Where were they?—In the shop.

2809. On the day you went to get this bread, when you came back, did you see Mr. Wilson come and speak to your mother?—Yes.

2810. Did you hear what she said to him, or what he said to her?—No.

2811. What time was that?—Between two and three.

2812. You went to school that afternoon?—Yes.

2813. What time did you go to school?—Two.

Cross-examined by Mr. *Atkinson.*

2814. Does your mother sell bread?—Yes.

2815. And beer?—Yes.

2816. How many rooms are there in the house?—Two.

2817. How many bedrooms?—Three.

2818. How many beds in a room?—One.

2819. Does your mother sometimes let them out as lodgings?—Yes.

2820. Do men and women sleep there sometimes?—Yes.

2821. Are they generally strangers, the men and women who come to lodge with you?—Yes.

2822. They often change, do they?—Yes.

2823. They come and sleep one night and then go away?—Yes.

2824. Persons you do not know at all, I suppose?—No.

2825. Had you more sometimes than two bedrooms occupied with them?—Yes.

2826. The police sometimes come to your house?—Yes.

2827. Often?—Yes.

2828. Where were you when Mr. Wilson came?—I were at home.

2829. When Mr. Wilson, as you say was talking to your mother, where were you; what part of the house were you?—I was in the room.

2830. Was it the common place where you sell the beer?—No.

2831. In what room was it?—In the passage.

2832. How long was he with her altogether?—half an hour.

2833. I suppose Mr. Wilson is often in the habit of coming over about business, is he not?—Yes.

2834. Did you see him there oftener than once a week?—Yes.

2835. Every day?—No.

2836. How many times a week do you think?—Twice or three times.

2837. He came to talk, and you have heard him talk generally about the bread, and the business between your mother and him?—No.

2838. What does he talk about?— I have not heard them.

2839. Is your mother in the habit of sending you over to his shop for bread occasionally?—

2840. A good many times backward and forwards?—Yes.

Re-examined by Mr. *Rodwell.*

2841. What time do you go to bed at night?—Eleven o'clock.

2842. Do you recollect the police coming in when your father was taken?—Yes.

2843. You never recollect his being taken before, do you?—No.

2844. Do the police come into the house and look round, when they come?—Yes.

[The Witness was directed to withdraw.

Mr.

Mr. *Rodwell* stated that he would abandon the case of Thomas, where travelling expenses had been paid, and which was charged to be a case of bribery by two reverend gentlemen. *Helen Cullum.* 11 July 1857.

Charles Catton was called in, and having been sworn, was Examined by Mr. *Rodwell* as follows: *Charles Catton.*

2845. YOU live at Bury?—I do.

2846. What are you?—The sexton of St. Mary's parish.

2847. I believe you were engaged in a funeral upon the polling-day, were you not?—I was.

2848. You know Mr. Hardcastle?—I do.

2849. Do you know James William Clark?—Yes.

2850. Do you know also a person of the name of James Snell?—Yes.

2851. Does he live at the bottom of Hatter-street?—Yes.

2852. Is Snell a voter?— I believe he is.

2853. Did you see Mr. Hardcastle and Clark together upon this occasion?—Yes.

2854. State what you saw?—I was going to the cemetery, and when I got to the corner of Hatter-street, the Church Gate-street corner; I saw Mr. Hardcastle and James William Clark talking together, and they went up Hatter-street, and when they got as far as Snell's, Clark went in for a minute or two, and came out again and walked up the street with Mr. Hardcastle.

2855. And overtook Mr. Hardcastle, or did Mr. Hardcastle wait?—Mr. Hardcastle walked slow.

2856. Then they went on?—Up Hatter-street and Abbey Gate-street as far as the Traverse; Clark went into Hadfield's, the chemist, and Mr. Hardcastle shook hands with a person of the name of Major, a tailor, at the corner of the Traverse; they went along the Traverse, and I passed on to the cemetery.

2857. Is Major a voter?—Yes.

2858. Is the chemist's shop where Hadfield lives?—Hadfield was a voter; I do not know whether he lived there at that time.

2859. Did James William Clark and Mr. Hardcastle go on together?—That is all I saw.

2860. How long have you lived at Bury?—All my life.

2861. Look at that account, if you please (*handing a paper to the Witness*), do you know Joseph Wincup?—Yes.

2862. Who is he the son of?—He is the son of a person of the name of Wincup.

2863. Do you know his father?—I know his father; or I think I know two; there is one a baker, and one a tailor.

2864. Are they voters?—One of them is; he is the son of the tailor; I do not know whether he is a voter.

Mr. *Atkinson* objected to the course of examination.

The poll books were produced.

2865. Mr. *Rodwell.*] Thomas Wincup, of Brent Grovel-street?—I know two; I believe they both live in Brent Grovel-street; one is a baker, and one is a tailor.

2866. Are they both voters?—I do not know.

2867. Is his name Thomas Wincup?—I believe so.

2868. "692, Wincup, Thomas, Brent Grovel-street, voted for Jermyn and Hardcastle." Do you know James Crowe?—Yes.

2869. Do you know his father?—Yes.

2870. Who is his father?—He is a tinman, I believe.

2871. What is his name?—His father's name is James, I believe.

2872. Where does he live?—Opposite to the White Horse.

2873. Is that in Brent Grovel-street?—Yes.

2874. He plumped for Mr. Hardcastle?—

Mr. *Atkinson* objected to the question.

2875. Mr. *Rodwell.*] "430, James Crowe." What is he?—A tinman.

2876. What you call a whitesmith?—Yes.

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2877. I find that name on the poll book as having "plumped for Mr. Hardcastle." Robert Simper, do you know him?—I know a Simper, the town serjeant, a voter.

2878. What is the father's christian name, do you know?—That is the man I know.

2879. What is his christian name?—Robert.

2880. "Robert Simper, Town Hall-street, voted for Jermyn and Hardcastle." The messenger is the son of Robert Simper, the town serjeant?—Yes.

2881. By the *Committee.*] Do you know the son?—I know there is a son, but I cannot say that he was a messenger.

2882. You do know the son?—Yes.

2883. Mr. *Rodwell.*] Now, James Graves; do you know James Graves?—Yes.

2884. Do you know whether he has a brother called Robert Graves?—Yes.

2885. Do you know whether he has another brother called Edward Graves?—Yes.

2886. Do you know whether he has a nephew called Henry Robert?—I know Mr. Graves, the clerk at the bank; I do not know whether his name is Henry Robert.

2887. You know the brothers, Edward and Robert, I believe?—Yes.

2888. "Edward Graves, shoemaker, College-street;" is that the man?—Yes.

2889. He voted for Jermyn and Hardcastle. Robert Graves, what is he?—A tailor.

2890. "Robert Graves, tailor, Abbey Gate-street, Hardcastle and Jermyn"?—He did live in Abbey Gate-street; I think he has left Abbey Gate-street now.

2891. He is a tailor?—Yes.

2892. Do you know a man by the name of Lows?—Yes.

2893. Who is he the son of?—Do you mean the messenger. I know the messenger.

2894. Yes?—I know a young man of the name of Lows, that was a messenger.

2895. William Lows?—Yes.

2896. What is his father's name?—I believe his name is William Lows.

2897. Where does he live?—A few doors off me.

2898. Do you know a man of the name of Snell, a baker in Eastgate-street? I know him.

2899. Do you know whether the messenger mentioned in the paper before you is a brother of his?—I do not know.

2900. I will go back to Lows; William Lows, what is he?—He is a white-smith, a tinman.

2901. He plumped for Mr. Hardcastle, I think you tell me; about Snell, you do not know much about him?—No.

2902. Do you know Reynolds?—I know a man of the name of Reynolds.

2903. Do you know John Reynolds?—Yes, I know John Reynolds.

2904. Where does he live?—In Southgate-street.

2905. Do you know whether the messenger there is the son of this John Reynolds?—I do not know.

2906. Do you know Hareld?—I do not know the messenger by the name of Hareld; I cannot tell, he was a messenger at this present.

2907. Do you know a man of the name of Hareld who was a messenger at the Bury election?—I do not know that he was a messenger.

2908. Do you know a man by the name of Hareld?—Yes.

2909. What is Hareld's christian name?—I do not know his christian name.

2910. Who is he the son of?—The one I know is a voter.

2911. Do you know Hareld, the haberdasher?—Yes.

2912. Do you know that he has a son?—Yes.

2913. What is the son's christian name?—I do not know.

2914. You do not know whether the messenger there is his son?—No.

2915. Do you know Norman, who appears there as a messenger?—I know a man by the name of Norman, at Bury.

2916. Whose son is he?—The son of the late Benjamin Norman, a brush-maker, he has died since the election.

2917. Where did he live?—Hospital-road, I believe.

2918. Did he live in College-street?—I do not know where he lived.

2919. What

2919. What was he?—He was a haberdasher.

2920. Did you know Benjamin Norman, the brushmaker?—I beg your pardon, I was talking about Hareld.

2921. Did you know Hareld, then?—Hareld lived in Hospital-road.

2922. Do you know Benjamin Norman?—Yes.

2923. What is he?—A brushmaker.

2924. He voted and plumped for Mr. Hardcastle; do you know a man by the name of Bernard?—I know Bernard, the blacksmith.

2925. What is his christian name?—Benjamin, I think.

2926. Do you know a messenger by the name of Bernard?—I know he has a son; I cannot say he was a messenger.

2927. Do you know what the christian name of the son was?—I cannot say.

2928. I find Benjamin Bernard voted and plumped for Mr. Hardcastle. Do you know a man by the name of Tolledy?—I know two persons in the borough of the name of Tolledy.

2929. Are they brothers, or father and son?—Father and son.

2930. Do you know any other Tolledys but those two?—No.

2931. What is the father's christian name?—Dollar.

2932. "Tolledy, tailor Tolledy, Gate-street, plumped for Hardcastle," James Graves, I think I did mention the name of Graves to you; is there another Charles Graves?—I know Charles Graves.

2933. Is he a brother to Robert and Edward?—Yes.

2934. Henry James Graves, is that one of them; do you know a man by the name of Frost?—I know several Frosts.

2935. Do you know Frost the voter?—Yes.

2936. What is he?—A jobber, something of that.

2937. Where does he live?—Southgate-street.

2938. Or is it College-street?—I know a Frost in College-street, a builder and voter.

2939. The tailor in Westgate-street?—He has a brother living in Westgate-street.

2940. Is his name Joseph?—I believe it is

2941. I see he plumped for Mr. Hardcastle; do you know Simkin?—I know two or three Simkins.

2942. Do you know Simkin the voter?—I know two Simkins voters.

2943. Do you know one Simon Simkin?—Yes.

2944. What street does he live in?—Raingate-street.

2945. Simon Simkin, what is he?—A brushmaker.

2946. Does he live in Raingate-street?—Raingate.

2947. He plumped for Mr. Hardcastle; Golding, do you know one Simon Golding?—I know Simon Golding the builder.

2948. Where does he live?—Field-lane, Cemetery-road.

2949. Do you know whether he has a son?—He has a brother.

2950. By the *Committee.*] What is the name of the brother?—I do not know his name.

2951. Mr. *Rodwell.*] Where does he live; in Cemetery-road?—Yes.

2952. He voted for Mr. Hardcastle and Lord Jermyn. William Wright, do you know him?—I know William Wright the shoemaker.

2953. Where does he live?—Churchgate-street.

2954 "Wright, William, shoemaker, Churchgate-street, plumped for Mr. Hardcastle." Just turn your eye to the check-clerks there, do you see the name of Brook?—Yes.

2955. Do you know who his father is?—If the young man was here, I might know who his father was.

2956. Do you know Ward?—I know a man by the name of Ward.

2957. Do you know the check-clerk?—Yes.

2958. What is his father's name?—Charles, I believe.

2959. What is he?—He is a printer and bookbinder.

2960. Is he a rate-collector, do you know whether he lives in Risby-street?—The father of the check-clerk do, he is the paving rate collector.

2961. I believe he voted for Jermyn and Hardcastle. Now, Edmund Nunn, do you know him?—I know a young man of the name of Nunn; I cannot say his name is Edmund.

2962. Do you know John Brewster?—Yes.

 2963. Do

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2963. Do you know that one of his sons was a check-clerk?—I do not know that one of his sons is a check-clerk.

2964. Mallows; do you know Mallows?—I know a young man by the name of Mallows.

2965. Do you know his father?—Yes.

2966. What is his name?—I do not know his christian name.

2967. Where does he live?—Risby Gate-street.

2968. Risby Gate-street, is that the man?—Yes.

2969. George William Mallows plumped for Mr. Hardcastle; do you know Jennings, one of the check-clerks?—Yes.

2970. Do you know who is father is?—Yes.

2971. What is his name?—His father's name is Edward.

2972. What is he?—A servant.

2973. Who is?—The father.

2974. Where does he live?—Raingate-street.

2975. Do you know the father's name?—Edward.

2976. Has he any other name, do you know?—Only Edward.

2977. "Edward Jennings, Raingate, 176;" that is the man you mean?—Yes.

2978. They call him steward here; is that the man you mean?—They may call him steward if you like; it is my father-in-law, so I ought to know him.

2979. He voted for Jermyn and Hardcastle; was your brother-in-law one of the check-clerks?—I believe so; I understood he was to be; I do not know whether he was or not.

2980. You understood that he was to be; and his father is your father-in-law, and his name is Edward Jennings, and he lives in Raingate-street; you say he is somewhere as servant, and described here as a steward?—Yes.

2981. John Cambridge; do you know him?—Yes.

2982. Where did he live?—Risby Gate-street.

2983. William Baxter; do you know him?—I know Baxter, in Whiting-street.

2984. Do you know William Baxter, who is mentioned there as a committee clerk?—No.

Cross-examined by Mr. *Atkinson.*

2985. Were you employed on the day of the election?—No.

2986. Is your name Charles Catton?—Yes.

2987. Is there another Charles Catton at Bury?—Not that I am aware of.

2988. Here is a Charles Catton returned here for 10*s.* 6*d.* in Earl Jermyn's expenses; how is that?—I know there is; I was not employed.

2989. You got the money?—Yes.

2990. You had the money and were not employed?—Yes; I will explain that.

2991. Did you vote?—I did.

2992. Whom for?—I voted for Mr. Oakes and Lord Jermyn.

2993. You voted for your principles?—Yes, I did.

2994. You got 10*s.* 6*d.* for no service, that was pleasant?—I did not know before I voted I should have 10*s.* 6*d.* I was asked to be a check clerk, and I refused it. When I took the situation which I now hold, it was with the understanding that I should do nothing else; and I refused upon that ground.

2995. It was not a part of your understanding that you were not to take money when you did no services?—You must let me explain that. About a fortnight after the election a clerk from Mr. Sparke's office brought me 10*s.* 6*d.* I says, "What is this for?" and his answer was, "This is for being a messenger." I says, "I was not a messenger; I was not employed;" but I says, "You can tell Mr. Sparkes I shall be very glad to receive the fee;" and he took it back. Some days after he brought it again, and he says, "You must give me a receipt for this 10*s.* 6*d.*;" I says, "If I am to have it I will have it, then."

2996. Were there any of your friends in the same agreeable situation?—Not that I am aware of.

2997. Do you know, amongst the messengers employed, a man by the name of Wright, a drawing master?—Yes.

2998. He was one of Mr. Hardcastle's messengers?—I should not think he was.

2999. Do you know that Wright was employed as a messenger?—No, do not.

3000. Do you know whether Wright voted the other side, against Mr. Hardcastle?—I believe he did.

3001. By the *Committee.*] I understand you did not know that Wright was a messenger for Mr. Hardcastle?—I do not know that he was; neither should I think he was.

3002. Mr. *Atkinson.*] Do you know a man by the name of Wright in the town who voted?—Wright, the drawing master, voted.

3003. Do you know whether Wright, the drawing master, was a messenger or not?—No.

3004. You do not know which Wright it is?—I know there are two Wrights, and they are both voters.

3005. You do not know which was the messenger of your own knowledge?—No.

3005.* The same remark applied to a person of the name of Braybrooke, a brushmaker?—No.

3006. Do not you know there is more than one Braybooke?—There are lots of Braybrookes in Bury.

3007. You do not know which Braybrooke was the messenger?—No.

3008. Do you know a person of the name of Hareld, a butcher?—Yes, several.

3009. You do not know whether Hareld was a messenger or not?—No.

3010. You do not know which Hareld it was?—No.

3011. With regard to Last, the toy-dealer; does the same remark apply to Last?—I know Last, the toy-dealer.

3012. There are two Lasts?—Several of the name.

3013. You do not know whether Last, the toy-dealer, or Last anybody else, was a messenger?—No.

3014. The same remark applies to Simkin?—Yes.

3015. You know that Simkin voted for the other side, the brushmaker?—I should think he voted for Mr. Hardcastle; that is his principle, and has been for years.

3016. Simkin, in Guildhall-street?—There are two Simkins, brushmakers; one voted one way, and one the other.

3017. You do not believe he was Mr. Hardcastle's messenger?—I do not know who are messengers; I know only the names.

3018. I see here, going through Mr. Oakes's list; do you know Evan Jones?—Yes.

3019. He is an inspector; do you know how he voted?—I should think he voted for Mr. Oakes.

3020. The same with W. B. Last; there is another of the name of Last?—A watchmaker.

3021. William Bradford Last?—I know W. B. Last.

3022. Do you know W. C. Clodd?—Yes.

3023. Do you know which way he voted?—I cannot say positively; I should think he voted for Mr. Oakes.

3024. The same remark applies to Mr. Hinnel; and Norfolk, do you know him?—I cannot say how he voted.

3025. Do you know how S. Norfolk voted, the brother of the gunmaker?—I should think he voted for Mr. Oakes, but I cannot say.

3026. Amongst the messengers, do you know John Pratt?—Yes.

3027. William Pratt?—Yes.

3028. Were they both messengers of Mr. Oakes; at least, they are returned as messengers?—I believe they were.

3029. Do you know how they voted?—They are not voters.

3030. Are they the sons of voters?—William is the son of William, a voter.

3031. Who is John?—A brother of William, the voter.

3032. Noel Stebbing, I see here; do you know how he voted; Samuel John Clark; do you know him?—Yes.

3033. Do you know how he voted?—He voted for Mr. Oakes, I should think.

3034. George Boares?—Yes, I know him.

3035. Did he vote for Mr. Oakes?—Yes.

3036. William Clark?—There was a dispute whether he did or not.

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Re-examined by Mr. *Rodwell.*

3037. My learned friend has asked you whether you were Lord Jermyn's messenger; how many messengers had Lord Jermyn?—Two. The day I were coming to the train I met Mr. Burrow Frewer, the plumber and glazier; he came up to me, and he says, "I put down your name to Lord Jermyn, in case I should want an extra messenger."

3038. Were you three sufficient to do the messengers' business?—I did not do anything; I knew nothing about it till the money was brought to me.

3039. An extra messenger was not wanted?—No.

3040. Do you know that Mr. Oakes had 11 messengers?—No.

The Election Auditor delivered in a statement of Mr. Oakes's and Lord Jermyn's expenses.

Mr. *Rodwell* stated that there were three messengers employed for Lord Jermyn, and 11 for Mr. Oakes.

[The Witness was directed to withdraw.

Mr. *William Armstrong* was called in, and having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mr. *W. Armstrong.*

3041. WHAT are you?—A printer.

3042. Do you recollect the day of the nomination at the last election?—Yes.

3043. You recollect about five or six in the evening seeing Mr. Hardcastle, and Mr. Collins, and Mr. Le Grice, together?—Yes.

3044. Where were you?—Passing through the back entrance of the Britannia Garden into Eastgate-street.

3045. Did they go as far as the Fox corner together?—Yes.

3046. Who keeps the Fox?—Robert Burrows.

3047. When they got to the Fox corner did they separate?—Yes; Mr. Le Grice left Mr. Collins and Mr. Hardcastle.

3048. Where did he go?—To the Fox.

3049. What became of Mr. Hardcastle and Mr. Collins?—They continued up the street as far as my own residence.

3050. Did you see them speak to any one?—Mr. Hardcastle and Mr. Collins spoke to two parties going up the street.

3051. Who were they?—One I know.

3052. What was his name?—Ransom, the milkman.

3053. A voter?—Yes.

3054. You did not go into the Fox yourself?—No.

3055. Do you know the committee-room Mr. Hardcastle had?—Yes.

3056. Were you passing backwards and forwards there during the course of the election?—Yes, I did pass once or twice during the day.

3057. Do you recollect seeing any gentleman coming in or out of that room?—No; I do not remember the names of any.

3058. Robert Turner, was not he with you at this time?—No.

3059. Do you know Robert Turner?—Yes.

3060. Have you seen the list of messengers who were appointed by Mr. Hardcastle's committee?—I have not seen the list; I know some of them, I do not know who they are.

[The Witness was directed to withdraw.

Robert Turner was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Robert Turner.

3061. ON the nomination afternoon were you out in Bury in the street?—I were.

3062. Do you recollect seeing Mr. Hardcastle, and Mr. Le Grice, and Mr. Collins?—I do.

3063. About what time?—Somewhere about six o'clock; I cannot say exactly whether it was that or not.

3064. Were they talking to any one?—They were.

3065. Who?

3065. Who?—Robert Burrows, at the Fox.

3066. Where was that?—They were standing on the bridge when I first saw them, commonly called Eastgate Bridge.

3067. How far is that from the Fox public-house?—I should say about 20 yards; it may be perhaps 25, or thereabouts.

3068. How long did you see them together?—They were some minutes together there.

3069. Were they talking together?—Yes.

3070. Did they part?—They parted, and came up towards me, up the Eastgate-street.

3071. Which of them; all of them?—No; Mr. Hardcastle, and Mr. Collins, and Mr. Le Grice.

3072. Did they speak to you?—No, they did not.

3073. Where did they go?—They went a little way up the street, just about as far as Mr. Armstrong's house.

3074. Did you see them go into any house?—I see them go to the house; at least knocked at the door.

3075. What is the man there?—Greenwood.

3076. Has he a vote?—Yes.

3077. Did you see them go to any other house?—No.

3078. Did you see them come back?—They crossed the road, and came on my side of the way; I nearly touched them.

3079. After they crossed over did they join Robert Burrows again?—Yes, they did, on the bridge.

3080. Where had Robert Burrows been during their absence?—I believe he stood on the bridge; I cannot exactly say whether he stood there all the time; at any rate he was there when they went back.

3081. In which direction did they go?—They went all off the bridge together towards the Fox.

3082. On Saturday morning do you recollect seeing some people come out of the Fox?—I saw a number of people come out of the Fox as I passed and repassed.

3083. What was going on at the Fox?—I cannot say what was going on; I have always understood ——

3084. Did you see people going in and out of the Fox?—Yes.

3085. Any voters?—Yes, I did.

3086. Can you give the names of any voters?—Yes, I can give the names of some.

3087. Give the names?—A person of the name of Hill, and a person of the name of Death.

3088. Do you know a man by the name of Whitehead?—Yes.

3089. Did you see him?—Yes, I did.

3090. Tell me any more names you recollect; is Whitehead a voter?—Yes.

3091. Any more that you recollect?—I recollect a man by the name of Rushbrook coming out of there, and spoke to him soon after he came out of the Fox; in fact they overtook me.

3092. Think of another name or two; you told me Hill and Death; Lawrence, did you mention his name?—No.

3093. Did you see him?—No, not from the Fox.

3094. Do you know a man of the name of Dollar Tolledy?—Yes.

3095. Do you recollect seeing him there?—I cannot say that I saw him there.

3096. Can you tell me any more?—No, I cannot recollect; in fact, I saw a great number of them.

3097. Do you recollect on the afternoon after the election a band playing?—Yes, I do.

3098. Did it come and play in front of the Fox?—Yes.

Cross-examined by Mr. *Atkinson.*

3099. Where do you live?—I live in Bury.

3100. Near the Fox?—Not a great way from the Fox; I should say about 200 yards; I do not know exactly, it may be 150 or 200.

3101. I suppose during this time at Bury people were about a good deal?—Yes, they were.

3102. Standing in the streets talking to each other?—Yes.

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3103. So that if you went along the streets at this time you would be very likely to meet one of your old friends in Bury?—I dare say I should.

3104. I suppose it is not an unusual circumstance for Mr. Burrows to be standing on the bridge?—I have seen him stand on the bridge, it is true.

3105. Have you seen him standing about?—Yes.

3106. I suppose you will not take upon yourself to say when Mr. Hardcastle and those gentlemen met Mr. Burrows on the bridge, how long they were with him?—I will not take upon myself.

3107. How far were you from them at that time?—I do not know; perhaps 100 yards it might be.

3108. You had no particular motive for looking at them?—I was standing by my door; I saw them come to the bridge; that is what took my attention.

3109. Mr. Hardcastle being a candidate, of course he would be a prominent man?—Yes.

3110. I suppose you looked casually at them, and saw them speak to the man as they came along?—When I saw them come along, I stood, and thought I would watch their moves.

3111. Are you an Oakes gentleman?—Yes.

3112. To the backbone?—Yes.

3113. I believe you are an innkeeper yourself?—Yes.

3114. I suppose some of Oakes's friends came to you during the election?—I do not know that they did; I do not think they did.

3115. Not anybody?—Not a voter, to the best of my knowledge.

3116. You say they joined Burrows again; then Burrows had remained in the same place, had he?—I believe he had.

3117. It is only your belief?—I cannot say that I kept my eyes on him all the time; I did on the other three or four rather.

3118. This gentleman, Mr. Hill, does he live near the Fox?—He lives nearer to me than the Fox.

3119. You only live within 200 yards; is not it between your house and his?—Yes.

3120. Is he not rather nearer the Fox than you?—I only know he lives nearer to me than he does to the Fox.

3121. Mr. Death, does he live in that neighbourhood?—Yes, he do.

3122. I believe Mr. Death lives within two doors of the Fox?—Somewhere thereabout.

3123. Mr. Whitehead; is he a neighbour of the Fox too?—No, I think not.

3124. Is not he in the same street?—He is further off than I am a considerable deal.

3125. He is in the same street?—No; he lives down a lane.

3126. It is a little lane out of the street?—It is not called Eastgate-street.

3127. Where does he live, Rushbrook?—I think he lives pretty well on the other side of the town.

3128. I suppose the Fox is a well-frequented house, is it not?—Yes, I think it is.

3129. Always has been?—Yes.

3130. I suppose it being the election time, is the only cause that makes you think it at all unusual for those gentlemen to be there living in the same street?—Some of them I have scarcely ever known to attend a public-house; Whitehead I have never known to attend a public-house.

3131. Is he a teetotaller?—I do not think he is.

3132. About this band; there was a band playing in front of the Fox that evening?—Yes, I believe there were.

[*The Witness was directed to withdraw.*]

Charles Merry was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Charles Merry.

3133. I BELIEVE you supply music for the good people of Bury sometimes?—Yes.

3134. On the day of the election were you applied to to get some music for the election?—I was sent for on that day.

3135. Who came for you?—One of the drummers of the West Suffolk Militia.

3136. What

3136. What is his name?—Thomas Newman.

3137. Where did he send for you to go?—Up on to the Angel Hill to the hustings.

3138. Whom did you see?—Robert Barton.

3139. Robert Barton gave you an order?—Yes.

3140. In consequence of that order, did you provide some performers; you had some music?—I played myself; I did not hire any one.

3141. You did not play alone?—No.

3142. How did the others come to you; did not you collect them; did you meet them by appointment, or what?—They was all there before I was; they was all there first; I was the last one that came up on to the Angel Hill.

3143. Were you the leader, and came last?—Yes.

3144. Barton gave you some orders, and you went and played about the town?—I came up.

3145. Where did you go in consequence of those orders?—I played about the town.

3146. Do you know the Fox, kept by Burrows?—Yes.

3147. Did you go and play there?—Yes, we did.

3148. When you got there, who paid you?—Mr. Barton paid me.

3148*. Who gave him the money?—Mr. Burrows.

3149. Mr. *Atkinson.*] Were you present?—Yes.

3150. Mr. *Rodwell.*] How much did you get?—I took 16*s.* 6*d.* of Mr. Barton.

3151. And 3*s.* 6*d.*?—Mr. Barton took that for him and another man.

3152. What instrument did you play?—The keyed bugle.

3153. Were any of those gentlemen who played with you voters; you are not a voter yourself, are you?—No.

3154. You know James Hill?—Yes.

3155. He was playing, was he?—Yes.

3156. What instrument?—The clarionet.

3157. He is a butcher?—Yes.

3158. Where does he live?—In Eastgate-street.

3159. Is he a voter?—Yes.

3160. Did you see him paid?—I gave him a shilling, but he returned it; that was not enough for him.

3161. He would not have the shilling?—No.

3162. I believe he was rather angry about it?—No, he was not angry, not the least.

3163. You gave it to the boy who played the triangle?—Yes.

3164. What is Barton?—He is a musician.

3165. What else; he does not live by music?—I think he belongs to the county court; I think he is one of the bailiffs.

3166. Is he the bailiff of that court? Mr. Collins is the registrar of that court?—Yes, I believe so.

3167. That gentleman there (*pointing to Mr. Collins*)?—Yes.

3168. He is one of the bailiffs?—Yes.

3169. When you saw Robert Barton on Angel Hill, who was with him?—There was so many; he was alone, in one way of speaking; there was plenty of people, but he was standing by himself; not along with any of the musicians.

3170. Any not musicians was he standing with?—No, he was by himself; he was conversing with no person.

3171. James Hill, the butcher in Eastgate-street, plumped for Mr. Hardcastle. I suppose blowing those things makes you thirsty, does not it?—Sometimes.

3172. It did upon the election day, did not it? You had something to drink at the Fox, had you not?—There was some beer outside.

3173. Had you some beer there?—There was some beer outside.

3174. Who drank the beer; the band?—Some of the band had some; I had none; I could not get it; there was a scramble for it; it was what I wanted, but I could not get hold of it.

3175. You had some at the King's Arms before, had not you; you got some there?—Yes; that we paid for.

3176. Did not you pay for that at the Fox?—No.

3177. You do not know who did?—No.

 3178. Whoever

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3178. Whoever paid for it, you could not get it?—No, I had not any.

Cross-examined by Mr. *Atkinson.*

3179. You make a noise in the world?—Sometimes.

3180. Are they musical at Bury?—A few of them.

3181. I mean the town generally; is there a musical taste?—There may be; but they do not like to pay for it.

3182. You think they have a fine taste for music, only they do not like to pay?—Yes; come to play three or four hours, and have 1 *s.* 6 *d.* each, did not look as if they like to pay for it.

3183. Was the music you played Mendelssohn or Beethoven, or the symphony in C?—We played ——

3184. Did you play "See the Conquering Hero comes"?—Yes, we did.

3185. My learned friend suggests another, "You are to go to" a certain gentleman, who shall be nameless, "and shake yourself," as my learned friend wishes it?—Yes, I believe we played it; I think I could mention every tune we played.

3186. James Hill, who plays the clarionet, is he one of your band?—Yes; that is the first time he ever played.

3187. Is he first clarionet?—Yes.

3188. Who was the second?—We had a young man with us out of the country.

3189. Hill is a sort of leading instrumental performer, and a man of considerable position?—Yes.

3190. Do you remember Barton saying to you that Mr. Collins had told him he was on no account to go out with the band?—I forget; I cannot tell whether he said so or not in the course of conversation upon that.

3191. There is only one Barton, I think, there?—I heard either him or his father say so; I could not swear which.

3192. Something of that kind to you, that Mr. Collins had said?—Yes; I made answer, and asked him, "How are we to get paid?" then he told me.

3193. What time in the night did this conversation take place; what time in the day was it?—About a quarter to four when I first went upon the Hill; between half-past three and a quarter to four.

3194. The election was over by that time, was it?—Yes; we did not start till half-past four round the town.

3195. What time did you go out for the purpose of playing?—I left home about half-past three.

3196. As I understand you, it was a sort of scramble; you gathered your band from different quarters?—Yes; we met at the King's Arms; we left word for one another where to meet.

3197. What time did you meet at the King's Arms?—About half-past four or a quarter to five; it was quite five o'clock; it might be past five—I cannot swear to that—before we started.

3198. Then I think you told the Committee you began going round the town?—Yes.

3199. Through the principal streets. I have not the happiness of knowing Bury; does it take long to go through the streets?—I should think you could walk all over in half an hour.

3200. Did you walk over it in half an hour that night?—That I cannot tell.

3201. What time did you begin playing opposite the Fox?—Eight o'clock; I should say between seven and eight.

3202. How long did you continue playing there?—We stopped there about 10 minutes to a quarter of an hour; then we played up the Eastgate, and back again.

3203. You left the Fox?—Yes.

3204. I suppose you felt a little thirsty, or something?—There was not many public-houses but what we stopped at.

3205. Did you go into some of them?—No.

3206. You know Mr. Hill?—Yes.

3207. And a gentleman of the name of Death—I do not mean the King of Terrors—I mean a man who lives in Bury?—There are several Deaths reside there.

3208. Hill, with perhaps Whitehead and Rushbrook?—I know Mr. Whitehead.

3209. Are not they supporters of Mr. Hardcastle, and of his principles, the three you mentioned, Hill, Death, and Whitehead?—That I cannot say. I do not know nothing about it. I live close to them; we all live close to them, within a stone's throw of one another.

3210. You said to my learned friend, when you went to the Fox there was a scramble for beer?—Yes.

3211. Was that because there was so little of it, or so many people?—So many rough'uns; they scrambled; they did not mind the band; and if we wanted any we must buy it.

3212. The rough'uns rushed at the beer?—Yes; there was not no order kept that night.

3213. Was it in pitchers, the beer?—That I cannot say, whether it was pitchers or a can.

Re-examined by Mr. *Rodwell.*

3214. Was there a little crowd, 50 or 60 people, in the scramble for the beer?—200 or 300.

3215. No wonder you did not get any beer, then. You did not seem to give an answer to the question my learned friend put to you. Did Barton ever tell you that Mr. Collins had told him on no account to go out with the band?—I heard that mentioned; whether it was Barton that played by him or his father, I cannot say.

3216. Was that at the time you saw him on Angel Hill?—At the time we went out, before he played.

3217. Did he ask you to play?—Barton sent for me.

3218. What did Barton say to you when you got to Angel Hill?—He told me Burrows guaranteed us a sovereign to go out to play; just to give them a flutter round the town; that was the words, and we went round.

3219. Did not he say something about Mr. Collins?—No; that was mentioned afterwards.

3220. Was that after you had been playing, or before?—Before we played.

3221. What time were you sent for to go and see Barton?—Between half-past three and a quarter to four when the lad came to me.

3222. You did not begin to play the "Conquering Hero" till the poll was declared?—It might be past five when we played.

3223. You cannot recollect Barton telling you that?—It was either him or his father.

3224. Was not that some days after?—Before ever we struck a note; I will take my oath of it.

3225. You think it was Barton's father?—It was one of the two; I cannot swear which.

3226. Mr. *Atkinson.*] It was said in Barton's presence?—Yes; he was present with me at the time.

Examined by the *Committee.*

3227. You said that you called at different inns; did you play round the town?—Yes; the people in the front stopped us, and gave us a little beer; that was in front.

3228. Did they give you beer, or did you pay for it?—Such as the men that walked in front; they clubbed round a pint or a pot a piece, and gave to us.

3229. You received some beer at the Fox?—There was some beer served there.

3230. To some of the band?—Yes.

3231. Was it paid for in the same way as at the other inns?—I cannot say how it was paid for there.

3232. You did not see the men pay for it at the Fox?—No.

3233. Did you see them pay for it at any other inn?—Yes.

3234. I am to understand that the Fox was the only inn you did not see the men pay for the beer at?—I did not go close enough; we stopped when the Fox beer was brought out; as soon as that was brought, we was shoved on one side, and the rough'uns took and drunk it.

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3235. How many people played in the band?—I think there was 12 of us, 11 or 12.

3236. Hill played, I think you said?—Yes.

3237. He is a voter?—Yes.

3238. Any other voter in the band?—Mr. Barton

3239. Any one else that you remember, who was a voter, in the band?—No; that is all, I believe.

3240. Only those two, Hill and Barton?—Yes.

3241. How did Barton vote?—I believe he voted for Mr. Hardcastle.

3242. Was there any music on the nomination-day?—Not that I am aware of.

3243. Do you often play in Bury?—Yes.

3244. Had you got the same people to play with that always played?—Yes.

3245. How was it Hill joined you the first time that day?—Because we could not get enow to play with us; the men that we have play with us come out of the country four or five miles, and we were obliged to get hold of any person we could clap hold of; it was on the Saturday night; we had no time to send for any.

3246. Had he ever played with you before?—No; I think that was the first time.

[The Witness was directed to withdraw.

Henry Partridge was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Henry Partridge.

3247. WHAT are you?—A saddler and harness-maker.

3248. Are you connected with the bell-ringers?—Yes.

3249. Did you ring the bells on the night of the election?—Yes.

3250. By whose order?—I did not take the order, not directly.

3251. Indirectly then?—Two of our men came to me when I was standing on the Hill, and says, "There is an order for ringing."

3252. Did you go to St. James's parish church, and ring the bells?—I went to St. James's Tower.

3253. Did you ring?—Yes.

3254. How many of you?—Ten.

3255. Have you been paid for it?—Yes.

3256. Who paid you?—The money was taken at Mrs. Clark's.

3257. Which Clark?—J. W.

3258. That is the wife of James William Clark, the Guildhall keeper?—Yes.

3259. I believe you distributed it among the men who assisted you in this ringing?—Yes.

Cross-examined by Mr. *Atkinson.*

3260. Did you ring the bells?—Yes, I assisted in ringing of them.

3261. Nothing unusual in that, is there?— No, not that I am aware of.

3262. Mr. *Rodwell.*] Was 2 *l.* 10 *s.* paid to St. Mary's and 2 *l.* 10 *s.* to St. James's?—I took 5 *l.*, and I divided it into 18 shares; there was eight men belonging to St. Mary's and 10 belonging to St. James's.

3263. Mr. *Atkinson.*] How was it that you came to go to Clark's?—To take the money; Mr. Ransdell came for me to go.

3264. What did Mr. Ransdell say to you?—He came to me to go and take the money with him.

3265. Did he say anything why the money was to be paid by Clark?—I do not recollect that he did.

3266. Did not he tell you that he had been to Mr. Leech for the money, and he had not got any change?—No, he said nothing to me concerning that. Since the petition was going on he began to tell me that, and I told him I did not want to hear it.

3267. He did not tell you?—No.

3268. Do you say that no reason was assigned why you should go to Clark?—I went with Ransdell because I was standing at my door one evening in the second week following the election.

3269. That is no answer to my question; was there any reason alleged why you were to go to Clark's?—Only I were to go with him to take the money somewhere; I had no idea where I was to go to take the money.

3270. Was

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3270. Was this in the evening?—Yes.

3271. Was it after all the banks were closed?—Yes.

3272. Was the money divided the same evening amongst the members?—No, it was divided; he took the amount for his men of St. Mary's parish, and I took the amount for St. James's, to be divided amongst the men on the following Saturday night.

3273. How long have you been in Bury?—Something like thirty-four years.

3274. You have seen several elections?—I have seen three or four.

3275. I hope they ring the bells on those occasions?—They ring the bells most occasions.

3276. Which side?—If there is an order.

3277. Do you know whether the last election they rang the bells for Mr. Oakes; in the election of 1852?—I am quite aware they were rung then, because I assisted to ring them.

3278. By the *Committee.*] You are a voter?—Yes.

3279. For whom did you vote?—Not for any one.

3280. You did not vote?—Not at all.

[The Witness was directed to withdraw.

Benjamin Whitehead was called in; and, having been sworn, was Examined by Mr. *Edwin James*, as follows:

B. Whitehead.

3281. WHAT are you?—A tailor.

3282. Where do you reside in Bury?—In Eastgate-street.

3283. You voted, I believe, for Mr. Hardcastle?—I did.

3284. Had you at former elections voted for Mr. Oakes?—I had.

3285. Always, I believe?—Only one.

3286. In 1852; you had never a vote before 1852?—Yes.

3287. In 1852 you voted for Mr. Oakes?—Yes.

3288. Upon this occasion you voted for Mr. Hardcastle?—Yes.

3289. Who first canvassed you for your vote for Mr. Hardcastle?—Mr. Hardcastle and two other gentlemen.

3290. Who were with him?—I believe Mr. Le Grice.

3291. You have no doubt about it?—They did not come in when they first came to my house; I could not tell exactly who were with him; I know one or two.

3292. Who were they?—Mr. Le Grice and Mr. Collins, I believe.

3293. Mr. Le Grice is a solicitor in the town?—Yes.

3294. Were any other persons with him?—There might be one or two; I cannot say how many.

3295. Did Mr. Hardcastle, and Mr. Collins, and Mr. Le Grice canvass you more than once?—They came down to mine twice or three times.

3296. Who did you promise your vote to?—Mr. Hardcastle.

3297. When he was with whom?—With Mr. Collins.

3298. And Mr. Le Grice?—Yes, the second time he came.

3299. You have said that you supported Mr. Oakes, the Conservative side, before?—Yes.

3300. Do you know the Fox?—Yes.

3301. That is the inn kept by Burrows, we know?—Yes.

3302. Were you there on the morning of the polling?—I was there but for two minutes.

3303. What time did you go there?—Half-past nine; it might be later.

3304. Were you there the previous evening?—No.

3305. Was that the first time that you went to the Fox during the election?—Yes.

3306. What did you go to the Fox for?—To go with a party to go up to poll; I did not know that there was a party going up from the Fox that morning until a neighbour came and asked me whether I would go up.

3307. Who was that?—Robinson.

3308. Is that Robinson the messenger?—He is a tanner, and works for Mr. Ridley; he is a neighbour.

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3309. Had Mr. Ridley canvassed you, or asked you to vote for Mr. Hardcastle?—I believe Mr. Ridley was with the party.

3310. Are you in Mr. Ridley's employment?—No.

3311. Is Robinson Mr. Ridley's man?—I believe he is.

3312. Robinson told you, I think you say?—He asked me whether I would go, and there was a party going to vote, and whether I had any objection to go with them; I said, "No, I would make haste and go." I did not know there was such a party.

3313. Not till Robinson told you?—No.

3314. When you had got there how many voters did you see, about how many?—I cannot say; I do not know half, nor yet a quarter of them; I do not know the number of voters there were.

3315. Did you find 100 or 10?—I do not suppose there were more than 20 that went up to vote.

3316. How many do you think there were went up to Burrows's?—About 20, I should say.

3317. When did you find them collected at Burrows's?—I merely went in; the people was coming out at the time.

3318. In a party?—In a party.

3319. Did you go with that party to the poll?—Yes, I did.

3320. You voted for Mr. Hardcastle; did you plump for Mr. Hardcastle, or vote for Lord Jermyn?—Plumped for Mr. Hardcastle.

3321. You went up with those 20; did Burrows go up with you?—Yes.

3322. Burrows, the landlord of the Fox, went up with you?—Yes.

3323. Did you observe how the majority of the 20 voted; whether they plumped for Mr. Hardcastle?—I did not.

3324. Burrows went up with them, and you went up among the number?—I did.

3325. I think you say, thatuntil Robinson told you, you did not know that there was a party going from the Fox?—I did not.

3326. Had you any refreshment there at all?—Not at all.

3327. Did you go into the Fox?—I merely stepped in as they were coming out; I was not in one minute.

3328. You did not go into the room, and see any breakfast laid out?—I saw nothing of the kind.

3329. You joined them, and Burrows went up with you to the poll?—Yes.

3330. Did Burrows say anything to you about your vote as you were going up with the rest?—No, he did not.

3331. Who spoke to you down there?—I cannot say that I was spoken to at all; I had no opportunity.

3332. Did Burrows come out with the voters; where did you first see Burrows going to the poll?—He came out from the Fox with the voters.

3333. Was he with you?—Yes, with us.

Cross-examined by Mr. *Atkinson.*

3334. My learned friend has laid great stress upon your voting for Mr. Oakes; what induced you to vote for Mr. Hardcastle?—Because I had promised.

3335. You are a man of your word?—Yes.

3336. You thought that you were discharging your duty as you had promised him?—Yes.

[The Witness was directed to withdraw.

James Hill was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

James Hill.

3337. WHAT are you by business?—A butcher.

3338. How did you vote at the election?—I voted for Mr. Hardcastle.

3339. You plumped, I believe?—Yes.

3340. Were you at the Fox, at Burrows's, before you went to the poll?—Yes, I was.

3341. What time did you go there that morning?—At eight o'clock.

3342. How

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3342. How came you to go there that morning at eight o'clock?—I called in there to see my brother electors, so that we should go up to the poll together.

3343. Had you been there on the previous night?—I was there on the previous night.

3344. How many of you were there on the previous night; I mean how many voters?—I cannot exactly say; I do not think there was more than six.

3345. Were they men whom you knew to be voters?—Yes.

3346. Was it arranged on that night that you were to go at eight o'clock in the morning and to go to the poll?—Yes.

3347. That was the arrangement made?—Yes.

3348. Had you supper there that night?—No.

3349. Nothing to eat and drink?—No.

3350. That you swear?—Yes.

3351. Had you any breakfast?—No; we had lunch after we came back from the poll.

3352. You had nothing that morning before you went to the poll?—No.

3353. It was arranged that you should go down to the Fox and go up to the poll in a party?—Yes.

3354. When you went down in the morning, did you see Burrows?—Latterly; not the first time.

3355. Before you went to the poll?—Yes.

3356. How long were you there before you went to the poll?—I should think it might be half an hour or three quarters; I could not say exactly.

3357. Waiting for people to collect?—We was having a drop of beer together and drinking it.

3358. I thought you said you had nothing to drink?—We had nothing given us; we had half-a-pint at our own expense.

3359. Did you pay for it?—Yes.

3360. You mean to say that?—Yes.

3361. How many voters did you find there at eight?—When I went down first about three or four.

3362. How long did you wait before the others came; we hear one voter says it was 20 that you went up to the poll with?—I should say three quarters of an hour or an hour.

3363. When you went down there first, did you see Burrows?—No.

3364. You went to the poll with about 20 voters; did Burrows go up with you?—Yes.

3365. Had it been arranged on the previous night that Burrows was to take you to the poll?—Not particularly that Burrows should go; that we should meet there and go together.

3366. You told us that it was arranged that you should meet at the Fox; was it arranged the night before that Burrows was to take you to the poll?—I cannot say he was to take me.

3367. How came it that Burrows was to take you to the poll when you went down in the morning?—Mr. Burrows did not take me down to the poll any more than the rest; he joined the party.

3368. He went with you?—He went with us.

3369. Did you go direct from the Fox?—Direct.

3370. You said you had luncheon; where?—At the Fox.

3371. What time?—To the best of my belief betwixt 10 and 11.

3372. You know Benjamin Whitehead, who has been examined?—Yes.

3373. How many had lunch?—Only myself and another; one had lunch with me.

3374. Did you go after you had voted directly back to the Fox?—No; I went to my shop to look after my business.

3375. What time did you go to the Fox to lunch?—I do not know.

3376. Did you find the lunch laid out?—Cold meat upon the table.

3377. That is a lunch; did you find the cold meat laid out?—Yes.

3378. Was it laid out on the table?—It was standing on the table, just the same as it is every day throughout the year.

3379. Did you take lunch?—Yes.

3380. How many more?—Two of us.

3381. No more?—No.

3382. Did you pay for it?—I paid for it.

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3383. You paid for your own lunch?—Yes; and the beer.

3384. You had beer there on the previous evening?—Yes.

3385. How many of you were there?—I cannot exactly say; I know there was not above five or six.

3386. How late did you stay?—I stopped till 11.

3387. Can you give us the names of any voters that you saw there the previous evening?—There was Mr. Robinson.

3388. Who else?—I think Mr. Snell, I am not sure; that is all I can recollect; and Mr. Mayhew; that is all.

3389. Do you know a man of the name of Dollar Tolledy; was he there?—No, I do not think so.

3390. When you say you paid for your lunch, did you pay at the time or since?—No; I have a bill running against me; I paid when I got it; I have a bill running, and I paid the week following, to Mrs. Burrows.

Cross-examined by Mr. *Atkinson.*

3391. You say it is the custom at the Fox every day in the year to have lunch laid out?—To them who uses the house.

3392. Has that been the case for some time?—Yes; I have always observed it.

3393. Do you play the clarionet?—Yes.

3394. How much did you get for your performance that night; did you get anything?—Nothing.

Examined by the *Committee.*

3395. Do you ever lunch at the Fox?—Yes.

3396. You go there sometimes to lunch?—Yes.

[The Witness was directed to withdraw.

John Clark was called in; and, having been sworn, was Examined, as follows:

John Clark.

3397. Mr. *Atkinson.*] HAVE you been in the room?—I have been standing outside the door.

3398. Have you been in the room?—Yes, I have.

3399. How long were you in the room?—Two or three minutes.

3400. Not more than that?—No.

3401. Yesterday were you in the room?—No.

3402. The day before?—Yes.

3403. Was that the first time you were in the room?—When nobody was in.

3404. You say you were two or three minutes; was that the first time you have been in the room?—The second time.

3405. When were you in first?—Half-an-hour ago.

3406. You have been twice to-day; upon no other day?—I have been when nobody was here.

3407. Have you been in when the inquiry was going on?—Yes.

3408. Do you know the notice outside the door?—Yes.

3409. You saw that before you came in?—Yes.

3410. Mr. *James.*] Have you heard any evidence?—No; I called a person that was wanted.

3411. Mr. *Atkinson.*] You have been in before to-day?—I tell you I have been in twice to-day.

3412. Have you been in before to-day; any other day but this?—I was in when nobody was here, before the Committee was sitting.

3413. While the inquiry was going on?—No.

3414. Mr. *James.*] Explain; how long were you in to-day; you say you have not heard any of the evidence?—I was in five minutes.

3415. What time of the proceedings was it?—Half-an-hour ago.

3416. What did you come for?—To call some witnesses.

3417. Did you hear any evidence?—I heard a few words.

3418. Who was being examined?—I think it was Mr. Turner.

3419. Do you reside in Crown-street; I believe you are a tailor?—I am, unfortunately.

3420. Is your shop opposite the house in Chequers-square, which was used as Mr. Hardcastle's committee-room?—Directly opposite.

3421. Do you remember the placards being put up into the window announcing Mr. Hardcastle's committee-room?—I do.

3422. Perhaps you can tell us on what day it was before the election you saw it done?—I think either the Monday or the Tuesday before the election.

3423. From your shop, can you observe all that is going on there?—I can see people going in and out; I have seen them at the windows.

3424. Will you be kind enough to tell me whom you saw there frequently, not occasionally; Mr. Hardcastle, you say?—Yes; a quantity of times.

3425. Mr. Le Grice?—Yes.

3426. Mr. Collins?—Yes.

3427. Do you know James William Clark?—Yes.

3428. Did you see him there?—Yes.

3429. Frequently?—Almost every day.

3430. Going in and out almost every day?—I saw him at the windows.

3431. Did you see him then go in, and see him in that room through the window?—Yes.

3432. Almost every day?—Yes, every day.

3433. William Scates do you know?—Yes.

3434. Have you seen him in that committee-room?—Yes, I have seen him go in.

3435. James William Clark, I think you saw him there constantly in the window?—Yes.

3436. William Robinson do you know, the baker?—I saw him go in once.

3437. John Holden, do you know him?—I think I saw him go in once; I will not be positive.

3438. Do you know Burrows, at the Fox?—Yes, I think I saw him go once.

3439. Do you remember seeing a man of the name of Hales in the square one day?—Yes.

3440. Did you see Holden in the street before you saw Hales?—I am not positive.

3441. Whom did you see with Hales?—I saw him come out of there one day, very tipsy, with a pipe in his mouth.

3442. Did he speak to anybody, and take them into the committee-room?—He spoke to some one, and told him to go in; I do not know who that man was.

3443. Did that man go into the rooms?—Yes.

3444. It is the same James William Clark, the one at the town hall?—Yes; I have known him for years.

Cross-examined by Mr. *Atkinson*.

3445. You say that it is your misfortune to be a tailor; there is no misfortune in that?—I have heard it said so repeatedly; I saw it in the "Times."

3446. Have you read the evidence carefully?—I have read it.

3447. What are you besides being a tailor; anything else; do you now follow any other pursuit?—I sell hats.

3448. Hoping that you have a good sale for hats, are you the secretary of the Conservative Club or Association?—I was; the club does not meet now.

3449. Were you?—Yes; that is no disgrace; Mr. Collins can tell you all about that.

3450. Has it died a natural death?—It has not.

3451. What has become of it?—We do not meet the summer months.

3452. You give it an airing during the summer months, do you?—Of course.

3453. When was your last meeting?—A club meeting?

3454. Yes?—I think in March.

3455. Can you fix the day?—No; we generally meet the first Monday in the month.

3456. Did not you meet on the 27th or the 28th, the night of the nomination?—Not a club meeting.

3457. Had you a meeting of friends that belonged to the club?—A few friends met together; there was no club.

3458. Do you know the Three Goats?—Yes.

John Clark.

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3459. Refreshing your memory about the Three Goats; were there any tin tickets issued that night?—No, there were not.

3460. Can you say that?—Yes, I will swear it.

3461. What did you go to the Three Goats for?—I went to have a glass of ale.

3462. How many others had a glass of ale?—Perhaps five or six-and-twenty or 30.

3463. Did they happen to be members of the Conservative Club?—Some were and some were not.

3464. How many were?—I could not say.

3465. Have you an accurate knowledge of your own?—I should think; I cannot say exactly how many it was.

3466. Were there 18 or 20 of them members of the club?—Perhaps there might be 20.

3467. I believe it was not confined to ale; there was a little brandy and water going on?—I believe they paid for it.

3468. Do you say they paid for it out of their own monies?—Some did.

3469. Was not some paid out of the club money?—No.

3470. Will you swear none was paid out of the club monies?—I will not swear it.

3471. Can you swear it was not a meeting of the club?—It was not; a few friends of us met that night.

3472. It was not a meeting of the club; how was it that part of the expenses of the meeting were defrayed with club money?—The expenses of what?

3473. The expenses of the meeting?—The club money is their own money. Each member pays so much a month to it.

3474. You say it was not a meeting of the club at the Three Goats; why was part of the expenses of that meeting paid out of the club money, if it was not a meeting of the club?—(*The Witness hesitated.*) I think I paid something like 15*s.* or 20*s.*

3475. Out of what?—Out of the club money.

3476. Reflect for a moment. Was not it substantially, not in mere form, a meeting of the Conservative Club?—Decidedly not.

3477. And yet you paid the refreshments out of the club money?—Yes.

3478. Is that your habit?—When I like.

3479. You have sole control of the money?—Yes.

3480. This was during the election; the nomination night; were there any voters there?—Some of us were voters; somebody on both sides.

3481. Were you for Mr. Oakes?—I should be sorry to be against him.

3482. You were a partisan of Mr. Oakes; you need not be ashamed of it?—I were not a partisan.

3483. You voted for him?—Yes.

3484. How far is your place from the committee-room?—The road and the path; a little square, about twice the size of this room.

3485. How many yards from your place?—I cannot tell you; I have not measured it.

3486. You may tell by steps; how many good strides of yours would it take from your place to the house?—I never tried it.

3487. Do you mean to tell the Committee you could not give the Committee an estimate of how many yards it is?—I cannot say to 10 or 15 yards how wide.

3488. Is it 50?—I cannot tell exactly. The square is a very small square; I do not think it is more.

3489. You do not think it is 50?—I cannot say how many yards it is.

3490. Do you keep a shop?—I do.

3491. Is there a counter in it?—Yes.

3492. Were you behind the counter?—Yes, sometimes.

3493. What is between you and your window?—The counter.

3494. No, it would not; is the counter in front of your window; does it run right parallel with the window?—Yes.

3495. A sort of cutting-board?—Yes.

3496. Is there a glass case between your cutting-board and the shop window?—No.

3497. The window is open at the front?—Yes.

3498. Are

3498. Are there any garments hanging in the window?—No; not the window I cut from.

3499. Are there any goods in your window at all?—The goods in one window, about half-a-dozen hats.

3500. Is that window in the direction of the committee-room?—Not so much so as that I cut from.

3501. Were you peculiarly unemployed when you were looking out?—I keep at home, and mind my own business.

3502. If you mind your business, you cannot look at people in the street?—You cannot help it.

3503. According to your testimony, you were watching the people that went into the committee-room?—I dare say I did.

3504. You dare say! did you?—I did.

3505. You kept a look out on who went?—I did.

3506. Just tell me on what day it was that you saw J. W. Clark go into the committee-room?—Almost every day; I saw him most days.

3507. Just give us a particular instance; did you put anything down upon paper at the time?—No.

3508. Almost every day; give us one instance; when did you see him?—I think I have given you a very good answer to that question; almost every day.

3509. It must have made some impression on your mind; is there any one day in particular you saw him there?—I cannot name one day in particular.

3510. Why not?—I saw him there four or five days. I am certain to that.

3511. What door did you see him go in at?—In the front door. There is but one door.

3512. You say you saw him at the window; am I to understand that you saw him inside the house, or outside?—Inside the house.

3513. Which window?—I think the last window next to Mr. Frewer's; that is, the house joining the committee-room.

3514. Was it upstairs, or down?—Down stairs.

3515. Was any body else at the window with him?—I do not think there were.

3516. Is it a matter only of opinion; "do not think"?—I am certain there was not.

Re-examined by Mr. *James.*

3517. You are a partisan of the Conservative party?—Yes.

3518. You mentioned Mr. Collins; he is an active partisan on the other side?—Yes.

3519. On the election time were you on the *qui vive*, looking about for what you could see?—Yes.

3520. Is your shop directly opposite?—Yes.

3521. You can see directly into the committee-room on the ground floor, I understand?—Yes.

[The Witness is directed to withdraw.

Mr. *James* stated that that was the case for the Petitioner.

[Adjourned to Monday next, at Half-past Eleven o'clock.

Lunæ, 13° *die Julii*, 1857.

The names of the Members were called over; all present.

W. HARDY, Esq., IN THE CHAIR.

Mr. *Hawkins* stated that he would first call his Witnesses, and reserve his address till the close of his evidence.

Mr. *Samuel Wilson* was called in; and, having been sworn, was Examined by Mr. *Hawkins*, as follows:

Mr. *S. Wilson.*
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3522. DO you reside at Bury?—Yes.

3523. What are you?—A baker.

3524. Do you know Mrs. Frances Cullum?—Yes.

3525. Had you previous to the last election been in the habit of supplying her with goods in the way of your trade?—Yes.

3526. Did she owe you at the time of the last election some money?—Yes.

3527. Had you made applications to her for the money?—Yes.

3528. Had she said anything to you, Mrs. Cullum, with regard to her husband's vote?—She was talking about the election.

3529. What had she said?—She did not say anything particular about the election; she said that her husband did not mind who he voted for.

3530. I must ask you with regard to what Mrs. Cullum deposed to; did you call upon her before the election first of all upon one morning?—One morning after some money; not upon the election account.

3531. Not on the election account; but you called upon her after some money?—Yes.

3532. Did you not ask her whether she could get her husband to vote for Mr. Hardcastle?—No.

3533. Did you add that you would give her 10*l.* off the book, and 10*l.* to go on with in the business?—No.

3534. Did you say to her anything at all to that effect?—No.

3535. Did you say anything to her at all about Mr. Cullum's vote?—We was talking about the election.

3536. What did she say?—She said her husband would not vote without he was paid for it.

3537. What more?—That her father always had money, and that her husband would not trouble himself about voting without he was paid for it; that he was not going to lose his time; they were in difficulties, and they wanted money.

3538. What did she say to you about your account?—My account was due on the Monday, and I should have it on the Thursday.

3539. She said that you should have it on the Thursday?—Yes, that is when I generally have had it.

3540. Did she say anything more about it?— No, not at that time.

3541. Did she say anything to you about when you should have any money; you said you always had it on the Thursday?—Yes.

3542. Did she ever say anything more to you about when you should have any money, and when?—They paid me on Thursday.

3543. What did she pay you on the Thursday?—I cannot say without I had my book here; that is not on the election account, that is on the running account.

3544. They paid you some money on the Thursday?—Yes.

3545. Did she say anything to you about paying the whole of your account at any other time; the whole of your arrears?—I went again some time after that; I carried some bread, and we were talking over the election again; her husband was present then, and he told me he should have a sum of money at the election; he should not vote for nothing; whatever party he voted for, he should have some money, and he would pay me part off my bill.

3546. He

3546. He voted for Mr. Oakes, I believe?—I believe so.

3547. Is it true that you offered that you would give 10*l.* off the bill, and 10*l.* to go on with the business, if her husband would vote for Mr. Hardcastle, or any sum whatever?—I never did.

3548. Did you ever offer a single farthing?—Never a farthing, and I never was authorised to do it.

Cross-examined by Mr. *Rodwell.*

3549. Did you do it without being authorised?—No.

3550. Are you often in the habit of calling upon Mrs. Cullum?—Every now and then.

3551. How many times did you call in the election week?—Not once.

3552. I thought you were there on the Thursday?—No, not in the election week.

3553. When was it that you called?—I should say a month before the election.

3554. Do you mean to say that you did not call upon Mrs. Cullum or on Mr. Cullum within a month of the election?—I should say about a fortnight, near that time.

3555. About what time; just fix the time?—I cannot fix the time to a day, or within a day or two.

3556. Will you undertake to say you were not there within a fortnight of the election?—Never.

3557. That you swear?—That I swear.

3558. Within three weeks?—It might be within three weeks; I cannot say; not to a day or two.

3559. What did you go to see her for?—I went after my bill.

3560. How much did she owe you at the time?—Over 20*l.*

3561. About 20*l.*?—It has not been under 20*l.* for the last four years.

3562. Do you mean to say that you did not see her on the election week anywhere; that you did not see her at her own house?—No.

3563. Nowhere?—Nowhere, that I know of.

3564. That you know of?—I do not recollect ever seeing her; I did not go to the house.

3565. Do you swear that you did not see her in the election week, or the week before the election?—I did not.

3566. Did you see her little girl?—Yes.

3567. Did you see her on the election week?—No.

3568. Do you remember the little girl coming to your shop?—She might come.

3569. Do you recollect her coming?—No, she did not, to my knowledge; I never waited upon her.

3570. Do you recollect Mr. Hardcastle and Mr. Collins coming to canvass you?—Yes.

3571. Do you recollect whether that was the day on which the little girl came to your shop?—I never saw her there at that time.

3572. Did you never see the little girl in your shop?—I have waited upon her there, at times.

3573. Will you undertake to say that you did not see the little girl in your shop upon the day on which Mr. Hardcastle and Mr. Collins came?—I believe I did not.

3574. That you swear?—I do not think she did; I always sent their goods.

3575. Did you see Cullum, the voter, that day?—No.

3576. What time of the day was it that Mr. Hardcastle and Mr. Collins called upon you?—I think it was some time in the afternoon.

3577. I ask you again whether you swear that the girl, Ellen Cullum is her name, did not come into your shop on that day and ask for half a stone of bread?—I never served her.

3578. Will you swear she did not come?—I cannot say; I did not wait in the shop always, I keep a person to wait in the shop.

3579. Do you recollect whether, when Mr. Hardcastle and Mr. Collins were there, that the little girl was in the shop?—Mr. Hardcastle did not come into the shop, he spoke to me outside.

3580. Was Mr. Collins with him?—I believe he was.

3581. Where was Mr. Collins?—Outside, I believe; they were both outside.

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3582. Do you recollect where they were?—Standing by the door.

3583. Were there any other persons in the shop at the time, do you recollect?—Not any one that I know of.

3584. Then you recollect the circumstance of their coming, perfectly?—I do.

3585. On what day; how long before the election?—It might be a month.

3586. Are you positive of that?—I will not swear for a day or two.

3587. Now be careful; do you mean to say that it was not in the election week?—No, it was not.

3588. That you swear?—That I swear.

3589. You swear it was not in the election week?—Yes, I do.

3590. Neither Mr. Hardcastle nor Mr. Collins called upon you in the election week?—No.

3591. You swear that?—Yes.

3592. Did they come more than once to you?—I do not think they did.

3593. That you say was about a month before the election?—Yes; I will not not say to a day or two.

3594. Do you recollect when Mr. Hardcastle first came down to Bury to canvass?—No; I did not trouble my head about that.

3595. Do you know John Cullum?—Yes.

3596. Did you ever speak to him about the election?—Yes.

3597. And canvass him?—No.

3598. What did you say to him about the election?—We were speaking about the election in his house.

3599. What did you say about the election?—He told me he should be paid for his vote.

3600. Did you ask him for his vote?—No.

3601. How came you to be talking to him about the election?—We were talking as most other people did; we were talking about the election.

3602. When?—A fortnight or three weeks before the election.

3603. What did you go to his house for?—To carry them some bread.

3604. I thought you told me that you generally sent the bread?—Sometimes I carry it.

3605. You carrried it upon this occasion?—I did.

3606. Who began the conversation?—I do not know.

3607. You did not ask Cullum how he was going to vote?—No.

3608. What did you say?—Cullum told me that after the election he should pay me something off my account.

3609. Was that when you asked him for his vote, or when you asked him for his money?—I never asked him for his vote.

3610. Perhaps the word "vote" never was mentioned?—I never asked him for his vote.

3611. Was the word "vote" ever mentioned?—Yes, it was, certainly.

3612. Do you recollect seeing Mrs. Cullum and her husband together upon any occasion?—She was there then.

3613. I ask you again, on the Monday in the election week did you not see John Cullum?—No.

3614. Is Caleb Lee Cullum's father-in-law?—I believe he is.

3615. Do you know Caleb Lee?—I know him as being a townsman.

3616. Is he a yellow voter?—I do not know how he votes.

3617. Did Cullum mention Caleb Lee's name?—Mrs. Cullum did.

3618. What did she say?—Mrs. Cullum said her father had money for voting, and her husband would not vote without he had.

3619. How did that conversation arise; how did it come about, talking about what Caleb Lee did?—Cullum said he should not vote without he was paid for it.

3620. This was not the time when you took the bread down, was it?—I think it was.

3621. Just recollect yourself?—I think it was.

3622. Did you not see Cullum twice; once alone and once with his wife?—No.

3623. You saw the wife without him, did not you?—His wife was with him when I saw him.

3624. Did you not see the wife without him?—Yes.

3625. Which was the first; did you see him with his wife before you saw Mrs.

Mrs. Cullum alone, or did you see Mrs. Cullum first?—I saw Mrs. Cullum first.

3626. How many days after was it when you saw Cullum alone?—I do not remember.

3627. About?—It must be four or five days, or a week; it might be ten days, for what I know.

3628. Was not it as much as a fortnight, will you swear that?—I do not know; I do not think it was; I cannot tell you; I do not know.

3629. Now, tell me, was not it upwards of a fortnight?—No, I should say not.

3630. Was it 10 days?—It might be somewhere about.

3631. When you saw Cullum by himself, after having seen him and his wife together?—Yes.

3632. May I take that so?—Oh, no. I saw Mrs. Cullum first.

3633. Did you ask her then for payment of your money?—Yes.

3634. Then you saw Mrs. Cullum and her husband 10 days afterwards?—Yes.

3635. Did you then go for your money again?—I went to carry bread.

3636. Was anything said about the money then?—That was when Cullum said he should pay me some money after the election.

3637. Had you not spoke to Mrs. Cullum before, when you spoke about the vote?—I had been paid money in the time.

3638. By whom?—Mrs. Cullum either brought it or sent it.

3639. It being a week or 10 days after you first saw Mrs. Cullum and her husband together, did you see them after that?—No.

3640. That you swear?—Yes.

3641. You cannot tell me when it was?—I tell you it might be a fortnight before the election.

3642. Have you been paid anything since the election?—Yes, a month's account.

3643. On what day did Mr. Hardcastle and Mr. Collins come into your shop; was it the same day they came outside the door; was that the same day that you saw Mr. and Mrs. Cullum?—No.

3644. That you swear?—Yes.

3645. You say the little girl often comes to your shop?—Not very often.

3646. The little girl knows you well, and you know her well?—Yes.

3647. You know the little girl that I mean?—Yes.

3648. You say that you did not see her the same day that Mr. Hardcastle and Mr. Collins were there?—I do not recollect seeing her.

3649. Can you state positively whether or not it was the same day that that occurred that you went to Cullum's?—I do not think it was the same day.

3650. Will you state positively it was not?—I did not keep any record; but I do not believe it was the day; I do not think it was; I will not swear to it, but I do not think it was.

3651. Have you had any quarrel with Cullum lately?—No, I never quarrelled with him.

3652. Did you send out bread every day to him?—Up to the last month I did.

3653. Why have you not sent him bread for this last month?—Because they did not keep up their accounts.

3654. Do they owe you anything now?—Yes.

3655. They fell back in their payments, and you would not supply them any more?—Yes; they got further back than I wished for, and I went for my money, and the man told me he had lost his book, and that he would not pay me any money.

3656. Did you take a part in the election?—No; I went to the poll.

3657. Did you canvass?—No.

3658. You merely went to the poll?—Yes.

3659. You did not canvass any voter?—No.

3666. Did you go to the Fox?—No.

3661. Then you were only canvassed by Mr. Hardcastle and Mr. Collins?—Yes; and for Earl Jermyn.

Re-examined by Mr. *Hawkins.*

Mr. *S. Wilson.*

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3662. I dare say that for a few weeks before the election there were very few of your neighbours that you met with who did not talk about the election?—Certainly, they generally spoke about it.

3663. Who one man was going to vote for, and who another was going to vote for?—Yes, it is a very general thing; they did not exactly say who they were going to vote for.

3664. By the *Committee.*] How long had Cullum been dealing with you before that?—For ten years, I should say.

3665. Did they pay you pretty regularly?—They have not done so latterly.

3666. But generally speaking have they been pretty punctual in their payments?—No, not so good as they ought to be.

3667. They owed you 20*l.* at the time of the election?—About that, a little more.

3668. They paid you something on the Thursday; how much was that?—They pay once a month, and that would be about 5*l.*

3669. Would that be about the sum they would pay for your monthly payment?—Yes.

3670. When did Mr. Hardcastle and Mr. Collins call upon you; how long before the election?—I cannot tell, it might be a month before the election.

3671. Was it within three weeks?—It was a month or three weeks, I did not keep a particular account; some time before the election.

3672. You do not have people canvass you very often; how long before; was it three weeks?—I think it was more than three weeks before the election.

3673. Will you swear it was more than three weeks?—I think so, I cannot swear to the day.

3674. How long was Mr. Hardcastle canvassing before the election?—I think he was canvassing some time before; I believe so, I cannot say.

3675. Had you promised your vote three weeks before the election?—I never promised anybody.

3676. Did not Mr. Hardcastle canvass you during the election week?—No.

3677. Were you never called upon again after the canvassing you spoke of by Mr. Hardcastle and Mr. Collins?—I do not recollect that ever I was.

3678. Did you see Cullum upon the Thursday of the election week?—No.

3679. In the afternoon?—No.

3680. Nor on the Tuesday?—No.

3681. I do not mean at his own house, but anywhere else?—No, never.

3682. You say you recollect going about your money; what day of the week was that?—I think it was on the Monday or Tuesday.

3683. I understood you that Thursday was the day they regularly paid?—The bill is due on Monday, and they always paid me about the Thursday; sometimes I sent it in on the Monday, but sometimes I sent it in on the Thursday after the Monday it is due.

3684. If they paid on the Thursday, what made you go to ask about it on the Monday?—I generally took the bill in on the Monday.

3685. You took the bill for the month on the Monday, and they generally paid it on the Thursday?—Yes, they like to have it.

3686. What did they owe you when you left off supplying them?—Twenty-five pounds.

3687. Do they owe you anything now; have they paid up?—No, they owe me the money now.

3688. Why did you leave off supplying them?—I left off because they had got another fortnight over the month, that was the reason I left off; they now pay for the bread as they have it; they deal with me now, I supply them still.

3689. Then the old bill remains unpaid?—The old bill still remains; I told her it must be paid, and she asked me to stop until her husband got out of the muddle, and I told her I would.

3690. When did that occur?—About a month back.

3691. In the month of June?—In the month of June; it might be a little longer; I cannot tell, without I had my book here, to a day; they still have the bread and the flour of me.

3692. When

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3692. When was the exact time you stopped trusting them?—I cannot tell as to a day.

3693. Was it in the month of June?—I think it was.

3694. Can you tell within a week?—It was the very early part of June, if it was in June; it was before his trial.

3695. Do you recollect his being taken up by the police for an assault?—Yes.

3696. Was it subsequent to that?—After that.

3697. How long?—It may be a fortnight, perhaps; I cannot tell exactly.

3698. You must be a little more particular about this. I want to know—just be a little careful—I want to know how long ago it was, within a week, as near as you can tell, that you stopped his account; was it in June or in May?—It was in June.

3699. Are you certain?—Yes.

3700. Do you know when he got into prison; the husband?—He was out on bail.

3701. When was he finally committed?—I cannot tell that, I did not take any particular notice of it.

3702. His wife said last Monday, I think, he was tried?—He was tried last Monday.

3703. When Mrs. Cullum said to you that her father had been always in the habit of being paid for his vote, and that her husband should not vote unless he was paid, did you make any observation to that?—I laughed.

3704. You did not say anything?—No, I did not say anything; I told her I never got anything for my vote; I remember telling her that; I laughed, and told her I never got anything for my vote.

3705. Nothing more passed?—Nothing more passed.

3706. Mr. *Rodwell* (through the *Committee.*)] You said you took no active part in the election, did you go to the committee-room?—I went to see how the polling was getting on.

3707. On the day of the election?—Yes.

3708. With that exception, you never went to the committee-room?—No.

3709. You only went on the day of the election?—That is all; I went to see how the polling was getting on.

[The Witness withdrew.

John Stuch Barnes, Esq., was called in; and, having been sworn, was Examined by Mr. *Atkinson*, as follows:

J. S. Barnes, Esq.

3710. I BELIEVE you are a Solicitor residing in Colchester, and carrying on practice there?—Yes.

3711. Are you also the clerk of the peace for the borough?—Yes.

3712. Have you been in business in Colchester long?—More than 20 years.

3713. Do you know a person of the name of James, who has been examined here as a witness?—I do.

3714. Do you remember, at any time, having an interview with him at Colchester?—I do.

3715. Do you remember his calling, in June last, at your office?—He did.

3716. Did he say to you, in substance, that he had been served with a Speaker's warrant to appear in the Bury petition?—He did.

3717. Did he say to you that if he had the means they should not find him, for he would go to Manchester, and get out of the way?—To that effect he did; words to that effect.

3718. Did he tell you any story about his being destitute, and his wife having died?—He told me that on the commencement, on his first coming to the office.

3719. Did you give him any money?—Yes; I gave him 2*s.*, in consequence of his stating to me that he was then in a state of destitution; that he had recently lost his wife, and was out of employment; this I gave to him before he said anything about leaving.

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3720. Do you know a person of the name of Edward Braybrook?—I do not know him.

3721. Do you remember the Bury election of 1852?—I do.

3722. Did you, during that election offer anyone the sum of 15*l.* to vote at that election?—Certainly not; I am rather too old a stager for that.

3723. That is, you know enough of election law to know that you would be guilty of a misdemeanour if you did?—I trust I do; and also not to offer a bribe.

3724. It has been stated that, at the Woolpack at Bury, you made an offer to a man of the name of Braybrook of 15*l.* if he would vote; is that true?—I did not; it is false.

Cross-examined by Mr. *Rodwell*.

3725. Did Braybrook write to you for the money?—I think it is very likely that Braybrook might write to me for the money; a great many people wrote to me.

3726. Can you remember the fact whether the man asked you for 15*l.* to vote at the prior election?—I cannot recollect; he might have asked me for 15*l.*

3727. You cannot positively say?—No; I think he asked me for something; I had a great many letters.

3728. Will you swear he did not write to you?—I do not recollect that he did more than once.

3729. Did not you receive three letters from him asking for 15*l.*?—I cannot say.

3730. Will you state that you did not?—I will not state that I did not, for I have received so many letters from electors, as to the election, that it is impossible for me to carry them all in my mind.

3731. Do you mean to say that you did not receive three letters from that man as to that money?—No.

3732. Would it not strike you as an extraordinary fact, a voter having made a demand for money that he said you had promised him?—I do not admit that he did write three times; I think he wrote asking me for money.

3733. Will you pledge yourself that you only received one letter from Braybrook?—I will not.

3734. Will you pledge yourself you did not receive three?—No, I will not pledge myself that I did not receive three; I have no recollection of having received three.

3735. Have you a distinct recollection of having received one?—I have.

3736. Two?—No, only one.

3737. Were you at the Woolpack at the last Bury election of 1852?—Yes.

3738. You managed the election for Mr. Hardcastle then, did you not?—Not exactly managed it; I was there acting on the part of Mr. Hardcastle.

3739. Is Braybrook the only person who has applied to you for payment of money for a vote?—Yes.

3740. Directly or indirectly?—Directly or indirectly.

3741. Then it would make a greater impression upon your mind?—It did; and I laughed at the idea that a man should write to me such an absurd letter.

3742. Perhaps you can tell me the expenses of the election that year?—No, I cannot.

3743. Do not you know what they were?—I do not know what they were.

3744. You never heard?—I never heard.

3745. For Mr. Hardcastle?—No.

3746. Have you no idea at all?—Not the slightest.

3747. Who had the management of the election expenses?—I cannot say.

3748. You were down there all the time?—I was.

3749. Did you not take a very active part in the election of 1852?—Yes.

3750. What did you do?—I was at the Woolpack, sitting on the committee, and doing what I could as the legal adviser of Mr. Hardcastle there.

3751. Did you canvass voters then?—Yes.

3752. Was there any one in the town of Bury who took a more active part for Mr. Hardcastle than you did?—Well, that is a question that I hardly ought to answer, as to whether any person took a more active part; that is a degree of comparison; I did all I possibly could to secure the return of Mr. Hardcastle in a legitimate way.

3753. Did

3753. Did you pay bills for Mr. Hardcastle?—Most likely I might.

3754. Do not you know that you did?—I believe I did; or I was present when they were paid; I believe I did pay bills, but I did not take an active part in paying the bills, certainly; for instance, probably I might be present and see them paid; or I might actually pay the check clerks.

3755. I am not asking specific cases; but I say generally, did you pay Mr. Hardcastle's bills for that election?—I did not.

3756. None?—I will not swear that I did not pay any.

3757. What amount did you pay?—I should think the most amount I paid was about 10 *l.* or 15 *l.*

3758. That, you say, is the extent of your payments for the election;—I should think it is; but I will not pledge myself as to the precise sum.

3759. Then you cannot tell me whether or not much money was spent at the election?—My impression is that much money was not spent.

3760. Perhaps you can tell me what you mean by much money?—I should say there was only money spent for legitimate purposes; I cannot give you any idea as to the figure, but I should suppose some 250 *l.*

3761. You give it as your opinion that the election for that borough for 1852, for Mr. Hardcastle, did not cost more than 250 *l.*—That is my impression.

3762. That is your opinion?—That is my opinion.

3763. From the best information you have?—I give it from the best information I have.

3764. Do you know James William Clark?—Yes.

3765. Were you at Bury at the last election?—I was not.

3766. Did you know Henry James before he called upon you at Colchester?—Slightly as an inhabitant of Colchester some few years back.

3767. Had you seen him at the former Bury election in 1852?—I have no recollection of having seen him at the election; I might have.

3768. Where was Henry James lodging at Colchester?—In Moore Lane, Colchester.

3769. Did you send for him?—I called, and he was not at home.

3770. He was not at home?—No, he was not, I believe.

3771. What did you call for?—Having understood that he had been served with a Speaker's warrant, I called to ascertain whether such was the fact.

3772. And was he?—He was.

3773. You called to ascertain whether James had been served with a Speaker's warrant?—Yes.

3774. Did you leave a message that he was to come up to your office?—I left a message that when he came in, if he was coming up town I would be glad if he would come to my office.

3775. Who informed you that Henry James had been served with a Speaker's warrant?—Not that he had been served.

3776. Whom did you hear it from?—That he was likely, that he was supposed to have been served.

3777. From whom?—I heard it from Mr. Collins.

3778. Do you mean that you wanted merely to ascertain the fact from James whether he had been served with a Speaker's warrant or not?—I did.

3779. Nothing else?—Nothing else.

3780. Did you ask him at once whether he had been served or not?—No; I should not have understood my profession if I had?

3781. That would not have satisfied you?—That would not have satisfied me.

3782. But you left word for him to call upon you?—Yes.

3783. When was this?—About the 18th or 19th of June.

3784. Do you know a man named Miller, at Colchester?—Yes.

3785. Did you send him to James?—No.

3786. But you know Miller, a shoemaker?—Yes.

3787. In Colchester?—Yes.

3788. Did you send him to James?—No.

3789. Did you speak to him about James?—I spoke to him last Thursday night.

3790. Not before?—Not before.

3791. Not about this matter?—No.

3792. Not at all?—No.

3793. Did James come up to your office?—Not then; not after Thursday.

 3794. But

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3794. But at the time you called upon him on the 18th of June, did you ask him when he came up, whether he had got the Speaker's warrant?—I did not.

3795. Why did not you?—Because I chose to hear what he had to say.

3796. Then your mere object was to ascertain whether he had a Speaker's warrant?—Yes, it was.

3797. Why did not you ask him?—Because I chose to elicit it in my own peculiar mode.

3798. Do you wish the Committee to take down that as your evidence?—I do, decidedly.

3799. Do you mean to tell me that your sole object in the first instance in going to Henry James, was to ascertain whether he had a Speaker's warrant or not, in consequence of information you had from Mr. Collins?—Yes.

3800. You adhere to that, do you?—Yes.

3801. You say you wished to find it out in your own way?—Certainly.

3802. Did you endeavour to find it out in your own way by asking him what he knew about Bury, and what he knew about Mr. Hardcastle?—No.

3803. You tell me that when James came to you, you did not ask him whether he had a speaker's warrant?—No.

3804. Did you mention the words "Speaker's warrant" to him at all?—Not until James told me he had been served with a Speaker's warrant.

3805. Did you ask him whether he had been served with a Speaker's warrant?—I did not.

3806. How long did the interview between you and James take?—About a quarter of an hour.

3807. At your office?—At my office.

3808. Was it in private?—It was so far in private, it was in my office; I had not a clerk there at the time.

3809. Was no one present?—No one present.

3810. What day was that?—I think it was on the Thursday.

3811. And during that quarter of an hour, were you talking to him all the time about the Bury election?—No.

3812. What else?—He began by stating the state he was in; that he had seen a great deal of hardship.

3813. Did he not first ask you if you had sent for him there?—That he understood I had called, and that I wanted to see him; I said I did.

3814. Did you tell him what for?—I did not.

3815. Did you tell him you did want to see him?—I told him I did, and I then began to ask him what he was doing.

3816. That was your way of setting about ascertaining whether he had got a Speaker's warrant; you asked what he was doing?—Yes; having seen me during the Colchester election, and asked me if I could give him any employment, I asked him what he was doing?

3817. Who started the subject of the Bury election, you or James?—James.

3818. What did he say?—He stated that he had done all he could at the Bury election for Mr. Hardcastle, and that he was very glad he was returned; and then he said he did not consider, though, that he had been treated well by the party, and that he was in distress, that he had sustained great loss lately by the death of his wife.

3819. Up to this time, did you make any communication to him at all that you were disposed to assist him?—No.

3820. Nothing whatever of the sort?—Nothing whatever of the sort.

3821. Nor had you told him why you had called upon him?—Not then.

3822. Go on?—Having stated the state he was in, and the loss of his wife, and that he was in a state of destitution, I gave him 2*s.*; and then he said, "I thought you wanted to see me about the Bury election." I said, "Well, what do you know about the Bury election." He said, "I have been served with a Speaker's warrant;" and he then felt in his pocket for it: he did not take it out; or if he did take it out, I did not read it; and then he said, "Am I bound to obey that warrant." I said, "Yes."

3823. You did not see the Speaker's warrant yourself?—I did not.

3824. You took his word for it?—I took his word for it. I said, "Yes;" says he, "I wish I was not." He said then, "Must I go without being supplied with money." I said, "You will have what is termed a notification, and you will then be paid sufficient money to take you to town, and you will have to attend." Then he

he said, "Well, I only wish I had the means; and if the means were supplied me, I would take care that I should not be caught any more, I would go to Manchester."

3825. Was that all?—That was all.

3826. You told me you did not tell Miller yourself, or send Miller to this man James; did you tell anybody to tell Miller to go?—No.

3827. Am I to take it that, directly or indirectly, you gave Miller no intimation that you wished to see James?—I gave him no communication that I wished to see James, because I knew nothing of Miller knowing anything about James until the Thursday evening of last week.

3828. In addition to having called to see James yourself at his lodging, did you send any one for him?—No, I sent no one for him.

3829. Did you send a message for him?—No; I sent no message for him, as I called myself.

3830. Only once?—Yes.

3831. You called once, and left a message with the landlady?—I cannot say whether it was the landlady of the house.

3832. How did you find out where he lodged?—From inquiries that I made near his residence.

3833. Can you tell me the name of the person whom you inquired of in that lane with reference to James?—My impression is, it was a man of the name of William Harvey, at the corner of the lane.

3834. Did you not tell him you wanted to see James?—Very likely I might.

3835. Did you not tell him you wanted to see James about the Bury election?—Very likely I might.

3836. Having had this conversation with Henry James, did you communicate again with Mr. Collins?—That I decline answering, because it was made professionally; if I did, it was by letter.

3837. Did you see Henry James professionally?—I did not.

3838. How did you see him?—I saw him as a friend of Mr. Hardcastle.

3839. And having obtained information from Henry James you communicated that professionally to Mr. Hardcastle's agent at Bury?—I communicated it professionally to Mr. Hardcastle's agent at Bury.

3840. Did you mention the Speaker's warrant in the letter to Mr. Collins?—I think I did, but I cannot state positively; my memory does not serve me.

3841. I think you were agent for the petition in 1852, when Mr. Hardcastle petitioned against Mr. Oakley?—I was.

3842. The majority at that time was eight, I think?—It was eight; because I would not buy that eight to turn the scale at 12 o'clock in the day.

3843. Were you offered them?—I was offered them.

3844. Where; at the Woolpack?—No; at the committee-room; but Mr. Hardcastle said, "No, I will lose my election before I will have my hands contaminated."

3845. Was that in the committee-room?—No not in the committee-room.

3846. Do you know Caleb Lee, the voter?—No.

3847. A man who sells bushel measures?—No, I do not.

3848. Then I understand you to say, that neither directly nor indirectly, you ever had any conversation, either in joke or in earnest, with a man by the name of Braybrooke, or anyone else, as to paying them money for their votes?—Never. I will not say I was not asked.

3849. Did Braybrooke ask you?—I will not say he did not, because there were several people came and asked me if I would give them money at the election, but I cannot tell their names.

3850. Was Braybrooke one who asked you?—Very likely he might; I think he is just the man.

3851. Of course, as an old stager, you shook your head?—I should have been rather green if I had not.

3852. I suppose you did not communicate to any one that you had received this dunning letter from Braybrooke as to this payment of money?—No.

3853. You think 250*l.* was the cost of the election?—Yes; not of the petition.

3854. You did not pay the bills of the public-houses?—I will not say that I did not pay some of them.

 3855. You

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3855. You think you paid some of them?—There was very little going on at the election, and 15*l.* would go a long way properly applied.

3856. Was not the bill at the Woolpack 300*l.*?—I do not know.

3857. Nor the bill at the Fox?—I do not know.

3858. What public-house bill did you pay?—I do not know that I paid one; I cannot recollect.

3859. That did not come within your department?—That did not come within my department.

3860. Within whose department did it come?—I cannot tell you.

3861. Was J. W. Clark a very active partisan in 1852?—Not more active than other parties; there was a general activity there. The general feeling was in favour of Mr. Hardcastle.

3862. Was he as active as anybody?—I think he was active.

3863. He had no money payments to make, I suppose?—Not that I know of.

3864. Was he attending the committee, and such things?—Not more than other persons.

3865. As much as other persons?—As much as other electors in the borough.

3866. Was Writtle mentioned in the interview with James?—No.

3867. You are sure of that?—I am sure of that.

3868. Was Mr. Hardcastle's name mentioned?—Mr. Hardcastle's name was mentioned in the course of conversation.

3869. Was nothing said about Writtle?—Nothing.

3870. Do I understand you to say, that James said to you that if you would pay him he would go out of the way of the Speaker's warrant?—If he was supplied with the means he would go out of the way, and he would take good care they should not see him.

3871. What were the words?—I will not confine myself to the exact words, I did not take them down; I will give you the substance; I have no hesitation in saying, that if I had chosen I could have sent Mr. James to the farthest end of the kingdom, so that you would not have seen him in this Committee-room.

3872. You did not lead the conversation at all to the subject of his going out of the way?—I did not.

3873. You recollect that distinctly?—I recollect that distinctly.

3874. I suppose, having had the Speaker's warrant it was too serious a matter to contemplate?—It was too serious a matter to contemplate; but I told him on the contrary, that he was bound to attend to the warrant, and that the next summons he would have would be a notification, and that if he went out of the way he would be severely punished.

3875. Then, in point of fact, it came to this, that James came to you to ask you what he was to do with the Speaker's warrant?—No, no such thing; I could not tell what was working in his mind, certainly; such was not the impression he made upon me.

3876. This much is very certain, that if you had not gone to Henry James there is no reason to suppose that James would have come to you?—It may be there was reason; you will hear some evidence by-and-by which will alter your opinion upon that.

3877. Have you any reason to suppose that if you had not gone to James, James would have come to you?—Yes.

3878. Had you at that time?—I had not at that time.

3879. But you have from what you have heard since?—I have from what I have heard since.

Re-examined by Mr. *Hawkins*.

3880. You heard that Henry James said, he would have the honour of playing at marbles with you?—He did, but I have no recollection of such an event; it is very likely he might have done so.

3881. How long have you known James?—I should think I have known the man some 17 years.

3882. As to the election of 1852; is it true that either directly or indirectly you offered or promised to pay a single shilling to any person for a vote?—Certainly not.

3883. You say that persons did ask you to give them money in 1852?—Yes.

3884. And you invariably declined?—I invariably declined.

3885. You

3885. You say you remember having an application from Braybrook for money after the election?—Yes.

3886. Was it applying to you to give him some money for having voted?—I believe that was the substance of the letter.

3887. I believe you never took any notice of the letter?—I never took any notice of the letter.

3888. Never answered it at all?—I never answered it, it was too absurd.

3889. By the *Committee.*] Did you get any other letters from other electors at the same time as Braybrook's?—I believe I had several letters from parties relative to the election, but none asking for money.

3890. If you were to be told that James had said, that in his interview with you after he had offered to go to Manchester, to get out of the way, if you liked, that you are said to have replied, you would do something for him; would that be true or false?—Certainly not the truth that I would do something for him relative to the getting out of the way; but I believe I did state, that I should be very ready, if I could, to assist him; after hearing his statement of the sufferings he had undergone, and the distress he was in, I would see if I could do so by recommending him in the town of Colchester; he was going to stay at Colchester.

3891. Was that before or after he told you he was in great distress, and as to his wife having died?—After he told me about the distress that he was in, but before anything was said of his getting out of the way.

3892. That happened before anything was said at all about the election or the petition?—Before anything was said about the petition, or his having been served with the Speaker's warrant.

3893. Was it Joseph Braybrook who asked you for money in 1852?—I cannot tell you.

3894. Do you know two Braybrooks?—I do not know two Braybrooks.

3895. When you said you knew Braybrook, what Braybrook did you mean?—I knew Braybrook, the party who came up here, but I could not state that he was the party, because I had not sufficient personal knowledge of the electors; I knew him as a person of the name of Braybrook, but I could not have identified Braybrook.

3896. Did you know that Braybrook, or know his brother?—No, I cannot say personally that I could identify either of the Braybrooks; I knew there was a man of the name of Braybrook.

3897. That that was the one who asked you for money?—No, I cannot say that.

3898. You state that a person did ask you for money?—I state that a person of the name of Braybrook came and asked me for money, but I cannot identify the party.

3899. Do you know that there is more than one Braybrook?—I believe so.

3900. But you only know one by sight?—I only know one by sight; I have no certain knowledge of the person.

3901. Was the Braybrook pointed out to you in the room the other day, the Braybrook you now refer to?—He is the man, I believe, who came into the committee-room.

3902. You do not know any other Braybrook?—I will not say I do not, but I could not identify any other man.

3903. Was the one who was in the room the other day Braybrook who asked you for money?—I believe he is.

3904. You are not aware of any other Braybrook who asked you for money?—No.

3905. Either for the past or any other election?—No.

3906. Do you recollect his having asked you for money during the election?—I have a recollection of a person of the name of Braybrook coming and asking me for money.

3907. Was that at the Woolpack?—It was at the Woolpack.

3908. Was the letter written by Joseph or Edward Braybrook?—I cannot tell which.

3909. Can you tell me whether it was at the time, or some time before the election, that he asked you?—I should say it was about the evening before the election.

3910. Upon the nomination day?—On the nomination day; that is my impression.

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3911. Did you ever hear of Mr. James going to Mr. Hardcastle at Writtle?—I have heard of it.

3912. Was it from James, or from another party?—Not from James, from another party.

3913. Did you ever see James after the interview, when he came to your office?—He came to my office a few days ago, and asked me if I had anything to say to him; I told him, no, I had nothing to say to him.

3914. Did he leave, or did he say anything?—He left; it was before this inquiry, I should say.

3915. When Braybrook called upon you at the Woolpack, in 1852, did you know his Christian name?—I did not; I was a stranger to Bury; I did not know many of the electors.

3916. Did you know more than one person of that name at the time?—I cannot say that I did.

3917. But you are almost sure he called upon you, and asked you for money?—I am almost sure he called.

3918. Was he one of those eight votes that were tendered to you if you would buy them?—I think not; that was at 12 o'clock on the polling-day.

[The Witness withdrew.

Joseph Alfred Hardcastle, Esq., a Member of the House, having been sworn, was examined, by Mr. *Hawkins*, as follows:

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3919. YOU are the Sitting Member for Bury?—I am.

3920. I may ask you, first of all, have you any family connection with the borough of Bury?—Many of my forefathers lived in the town, and I have some relations there now; and I was at school there myself.

3921. You were educated there?—Yes.

3922. At the last election for Bury, had you any committee at all formed for the purpose of conducting your election?—None whatever.

3923. We hear that there was a house taken that was called the committee-house; was there any committee at all that ever sat in the house, or that used it as a committee-room?—No.

3924. It was merely the name given to the house, as you must have some place for conducting the election?—Exactly so.

3925. I believe you personally canvassed through the whole town?—I did.

3926. Every voter?—I believe I canvassed nearly every voter.

3927. I believe Mr. Collins acted as your agent in Bury?—He did.

3928. Mr. Leach, I believe, was appointed for the purpose of the election expenses?—Yes.

3929. And Mr. Le Grice, I believe, also accompanied you upon your canvass?—Pretty generally.

3930. With the exception of those gentlemen, was there anybody at all who had any authority at all to act for you in any shape or way?—No one had any authority at all to act for me, except Mr. Collins.

3931. First of all I will take Mr. Clarke; had Mr. Clarke been intrusted by you with any authority at all; Mr. James Clarke?—In no way whatever.

3932. He did not attend you upon your canvass, I believe, at all?—I do not recollect his ever having canvassed a voter with me.

3933. Did you ever authorise him to take any step at all in the election; or to pay one single shilling upon your account?—Certainly not.

3934. Some mention was made, I think, on Saturday, of Mr. Burrows, at the Fox; did you give Mr. Burrows any authority at all to do anything on your behalf at the Fox?—None whatever.

3935. Did you sanction or authorise, either directly or indirectly, any entertainment of any description?—I did not.

3936. Did you give any directions yourself personally to him?—I did so; I believe it was on the evening of the day of nomination that I happened to hear that Mr. Burrows intended to have some entertainment at the Fox, and I said to him, "Mr. Burrows, I insist upon your doing nothing of the sort, as it may endanger my election."

3937. At

3937. At that time what was the result of your canvass?—I felt myself to be sure of winning by a majority of some 20 to 40 votes.

3938. You felt yourself certain of winning by that majority?—Yes; I may say that I calculated that I should poll 319 votes, and I actually polled 320.

3939. One question I may ask you with regard to the band; did you sanction or authorise a band after the election?—Certainly not.

3940. First of all, with regard to Clarke, that is William Clarke, a tailor; he told us, upon his examination upon the first day, that he had promised you his vote; at the railway station, I think he said, some nine months previous to the election; is that true?—Yes, it is.

3941. Had you ever any doubt at all that Clarke would fulfil the promise which he had made to you upon that occasion?—None whatever.

3942. Now, I may ask you with reference to a sum of 20*s.*, I think, which you gave to Mrs. Robinson, or Mrs. James; I believe you did give that 20*s.* to her?—I did so. I did it purely as an act of charity; and before doing so, I inquired whether the poor woman was the wife of a voter, and I ascertained that she was not.

3943. You ascertained, before you gave the money, that she was not the wife of a voter, and then you gave it as a pure act of charity?—I did.

3944. Had you learnt at that time that the poor woman was dying, and in great distress?—Yes.

3945. I may ask you whether that sovereign had the smallest to do with the election?—Not in the slightest degree whatever.

3946. Was the idea of obtaining a vote ever passing in your mind at the time?—Most certainly not.

3947. You know that person, James, who was examined here upon the first day?—I do now.

3948. Had he any authority from you during the election to interest himself, or to take any part in your behalf?—None whatever.

3949. Did you know anything at all of the man?—Nothing whatever.

3950. You knew nothing whatever of him?—Nothing.

3951. There is a person named Joseph Braybrook, who says that he voted for you; I must just put a few questions to you here, to see whether his statements are true or false. He says that you called upon him to canvass him; did he say to you he should not think of voting for you until that affair was settled at the last election?—He did not.

3952. Or anything to that effect?—Nothing to that effect.

3953. Did you say to him, "What affair? I know nothing about it; I do not know that I can settle it?"—Certainly not.

3954. Did he say to you, "Well, they played a trick with me; mind I do not play a trick with them?"—He did not.

3955. May I ask you whether the evidence of Braybrook is a fabrication from beginning to end?—It is a tissue of falsehood from beginning to end; it is entirely untrue.

3956. How many times did you call upon Braybrook?—I called upon him once, and he was not at home.

3957. Was anybody with you at the time?—Mr. Collins was with me at the time.

3958. Did James come to you at Writtle?—He did.

3959. You reside at Writtle?—I do.

3960. About a couple of miles from Chelmsford?—Yes.

3961. I believe that was on Sunday the 21st of June?—It was.

3962. What time did you see him?—As I was coming out of the morning church; I suppose about half-past 12; and, walking down the churchyard path, I saw a man speak to one of my servants; my servant afterwards told me that this man asked if I was in church; immediately afterwards he either touched his hat or nodded to me, and said, "How do you do, sir;" I said, "Who are you;" he said, "Oh, you know me well enough, sir, my name is James;" I said, "Now you tell me what your name is, I know who you are." I believe I then asked him what he wanted with me; he said, "Oh, sir, you know what I am come for;" I said, "No, I do not." He then put his hand into his pocket, and said, "Do you know what that is, sir?" he produced a piece of paper, which I believe to have been a Speaker's warrant; I said, "I suppose that is a Speaker's warrant," looking at it; he said, "Yes, it is, sir." I must say that the man was partially

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partially drunk, as far as I could judge; he said, "Now, sir, I am a friend of yours, I do not want to do you any harm, but if I go up to Parliament House I shall unseat you;" I said, "Will you? you say you are a friend of mine; what do you know that can unseat me?" he said, "Oh, I know plenty to unseat you." I still pressed him to tell me what he did know; and he at last said that he had had money of mine to treat voters given him by J. W. Clarke, or Jem Clarke I think he called him; I said, "Well, even if you have had money given you by James Clarke to treat voters, he is no agent of mine, and it would not unseat me." This seemed rather to take him by surprise; and I said, "Now, come, you have said you are a friend of mine, do you know anything more;" he then shook his head, and said, that he did not know a great deal more; but I could get nothing more out of him as to what he professed to know. He then recurred to the fact that he should unseat me; and he said, "I wish to have money given me to get out of the way." I must say that, towards the end of the interview, his tone assumed somewhat more of a threatening nature than it had done at the commencement; I told him he must go up and speak the truth, and I would not give him a farthing. He then pressed me to let him go into my house and have some refreshment, and I told him I would not. He then ended by asking for a glass of beer; I said I should not give it him, and we parted.

3963. I will ask you this one single question, did you authorise either directly or indirectly one single farthing to be spent at the last election for the purpose either of bribery or treating one single voter?—I did not.

3964. Was there a single farthing laid out with your sanction or approval for that purpose, or with your knowledge?—Certainly not.

Cross-examined by Mr. *Quain*.

3965. I will just repeat my learned friend's question, with reference to the election of 1852, did you upon that occasion authorise a single shilling ——

Mr. *Hawkins* objected to the inquiry being taken to the case of the election of 1852; it was no part of the issue here.

The *Chairman* stated that the Committee were of opinion that Mr. *Quain* was not entitled to go into the question of the election of 1852.

3966. Mr. *Quain*.] When did you begin your canvass at the last election?—I think about a month before the election, immediately after the announcement of the dissolution of Parliament.

3967. Do you think it was so much as a month before the nomination day?—I think so.

3968. When you went down to Bury St. Edmund's, you, I suppose, appointed Mr. Collins at once your agent, or had he been appointed before you went down?—I appointed him my agent.

3969. Before you went down, or after?—I cannot say that I appointed him in so many words my agent, but it was well understood between us that he should act as my agent at the election.

3970. Did he act as your agent at Bury St. Edmund's before?—Yes.

3971. Do you know of your own knowledge, who hired the place where the so-called committee-room was?—No; I do not.

3972. You say, as I understand you, that there was no committee at all?—There was no committee at all.

3973. Do you mean that your agents did not meet there daily for the purpose of promoting your election, do not you know that they did?—I know that persons interested in my election met there for three or four days before the election, but there were no committee meetings of any kind whatever, for the simple reason that no committee had been appointed.

3974. Who met there; who were the gentlemen who did meet three or four days before the election, for the purpose of promoting your election; you were there constantly yourself, of course?—No, I was not there at all constantly, I was occasionally in and out, but I was not there constantly, which makes it difficult for me to say who were there.

3975. Were you in and out about the election?—Of course.

3976. Who were there?—Mr. Collins was in and out, and Mr. Le Grice, and Mr. Braddock.

3977. Any

3977. Any one else; can you tell the Committee any other name?—Mr. Last, I forget his christian name; there are several Lasts.

3978. Mr. Mason Last, Mr. Ritt Last?—Mr. Ritt Last, and Mr. Graves was there as a kind of secretary.

3979. Will you tell the Committee whether you ever saw James William Clark there?—I do not think I did, except on the day of the polling.

4000. Can you state that positively?—I can state it to the best of my recollection, that I did not see him.

4001. You appointed Mr. Leech, I believe, your election agent for paying expenses?—I did.

4002. How did the money to pay the expenses reach the hands of Mr. Leach, if it reached them at all?—I paid Mr. Leach; I gave Mr. Leach a cheque for 50 *l.*

4003. When was that?—Since the election; I gave him, I think, about 30 *l.* or 40 *l.* in money at the election, the day after the election, and the remainder has not yet been paid.

4004. That is all the money that passed from your hands to Mr. Leach's hands?—Yes.

4005. Who hired the messenger?—If you ask me of my own knowledge, I do not know.

4006. I suppose I may take it that you left all those matters to Mr. Collins?—Yes; I believe so.

4007. You say Mr. Le Grice and Mr. Collins canvassed with you?—Yes.

4008. You also stated that you did not recollect ever canvassing a vote with J. W. Clark?—Yes.

4009. Will you undertake to tell the Committee that you never did, or that you do not recollect?—I think I may undertake to tell the Committee that I never did,

4010. Do you recollect being in communication with J. W. Clark at the corner of Walters-street on the day of the election?—I cannot say that I do.

4011. Or on the polling day?—I cannot say that I do.

4012. Do you recollect Mr. Clark leaving you there and going in to a voter's of the name of Snell?—No, I do not.

4013. Do you state that that did not take place, or that you do not recollect it?—I state that I do not recollect it.

4014. A voter living at the bottom of Hatter-street, do you recollect Clark after having been in to Snell's coming out and overtaking you near to Mr. Sparks's office?—No, I do not recollect anything of the transaction.

4015. Do you recollect Clark going into a chemist's shop, Mr. Hudfield's, the chemist?—No.

4016. Do you recollect your shaking hands with a gentleman of the name of Major?—No.

4017. You will not undertake to say that that did not take place, I suppose, but you do not recollect it?—I do not recollect it.

4018. You say also that you never authorised Clark to pay any money for you?—Certainly.

4019. You mean of course personally authorised him?—Personally or in any other way.

4020. Are you not aware that he has paid money on your account?—No.

4021. Do not you know that Clark paid the bell ringers?—No, I do not.

4022. Or Clark's wife?—I know nothing about it.

4023. I will take the first case that my learned friend mentioned, that of William Clark, the tailor, what day did you canvass Clark, do you recollect, or did you canvass him at all?—William Clark, the tailor, promised me his vote on the station, at Bury, nine months before the election.

4024. You did canvass Clark because you say you canvassed almost every voter in Bury?—If I asked him for his vote, he promised me, I have no doubt of it.

4025. You asked him for his vote at the same time that you were canvassing the rest, is that so?—I think I met him in the street one day, but I do not recollect.

4026. Then when he says he never was canvassed by you at all, is he speaking the truth or not?—If I am right, he is wrong, I do not pledge my memory to it at all.

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4027. Who told you anything about Mr. James being in a state requiring charity, how did you learn that fact?—I think I heard it in the shop of a man of the name of Robinson who was examined here the other day.

4028. You were told, were not you, when you were canvassing Robinson?—Yes.

4029. Did not Mrs. Robinson speak of it at the time?—I believe she did.

4030. Did she speak of Mrs. James as her sister?—I think she did.

4031. You did not say at the time I believe of the canvass that you would give her anything for charity or not?—I cannot pledge my recollection whether I did or not; my impression is, that when I went out of the shop, I said something to Mr. Collins, or to Mr. Le Grice, "I wish I could give that poor woman something, it seems to be such a very bad case."

4032. Did you hear of any other bad cases in Bury at the same time?—Not at the same time.

4033. About the time of the election?—No, I do not remember hearing of any other.

4034. You heard of no other charitable objects at Bury, at the time of the election, but this Mrs. James?—Of course there are always plenty of charitable objects in every town.

4035. Did you hear of any other charitable objects, but this Mrs. James, at the time?—I do not remember any other.

4036. You did not know, of course, anything of Mrs. James personally, except what you heard upon that day?—Of course not; I never heard her name before that day.

4037. When did you first hear the name of Henry James, had you heard it at that time?—No.

4038. You had not heard of his name then?—I had not heard of his name then.

4039. Whom did you give the sovereign to to give to Mrs. James, did you give it to her, or to whom?—I believe I gave it to Clark.

4040. J. W. Clark?—Yes.

4041. Where did you see Clark to give him the money?—I think I gave it to him at the Guildhall.

4042. At the Guildhall, that is where Clark resides you mean?—Yes.

4043. How did you come there, did you go, after canvassing with Mr. Robinson, straight to the Guildhall, and give Clark the money?—No, I do not think the money was given for a week afterwards.

4044. You did not give it for a week afterwards, and you gave it to him at the Guildhall?—Yes.

4045. Will you tell the Committee how it happened that of all other persons in Bury, in order to do an act of charity, you selected J. W. Clark to do that act of charity?—J. W. Clark came and asked me for the money.

4046. Then it was not a spontaneous act of your own, but it was done at the request of J. W. Clark?—No, not exactly so.

4047. I understood that you mentioned, that after you came out you expressed a wish to send this poor woman some money?—I did so.

4048. But you did not do so?—I did not.

4049. Not until you were applied to by J. W. Clark?—Yes. J. W. Clark, I presume, had heard that I had expressed a willingness to give the woman a sovereign, and he came to me for it; my impression was, that this woman was some relation of James W. Clark's.

4050. You say J. W. Clark came to you for it; I understood you to say just now, that you gave it to him at his own place where he resided, at the Guildhall?—Not in his own house; it was in the library of the Guildhall.

4051. Just explain how it happened that you and Clark met in the library of the Guildhall; is Clark a literary man at all?—He is the keeper of the library.

4052. Explain how you and he happened to meet upon this particular occasion in the library of the Guildhall?—My impression is; I cannot say that I have any very clear recollection of it, but my impression is, that some one told me a voter whom I wished to canvass was in the library, and I went into the library to look for him, and Clark then asked me for the money, and I gave it to him.

4053. Clark was not the voter that you expected to find there to speak to?—Clark was not a voter at all.

4054. You did not meet with the voter in the library, did you, that day?—I do not distinctly remember.

4055. What

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4055. What day did you give the money?—I cannot tell you.

4056. How long before the election?—I should think about three weeks before the election.

4057. That was very nearly at the beginning of your canvass?—Not long after the beginning of my canvass.

4058. How came Clark to ask you for the money?—I cannot tell.

4059. Was it Clark that started the subject of Mrs. James first, or you to him?—I think Clark started it to me.

4060. Were there any other persons present in the library at the time?—I do not think there were.

4061. You did not expect to meet Clark in the library when you went in; was that so?—No; I did not go up to see Clark.

4062. What took you there on this particular day; simply to see a voter in the library?—Yes.

4063. Who informed you a voter was there?—I do not recollect.

4064. Do you know who the voter was that you expected to find?—I do not remember.

4065. Did you make any particular inquiries after Mrs. James; whether she was ill, or anything of the sort?—I heard that the poor woman was dying, that her bed had been taken from under her, and that she was in the utmost state of destitution.

4066. All that was stated when you canvassed Robinson?—Yes, I think so.

4067. Did you give any other sums away at Bury this time for similar purposes?—No.

4068. Was there a solitary sixpence you gave for charitable objects during the election besides this?—So far as I recollect, that was all.

4069. With regard to the interview at Writtle, before James arrived on that day, had you the slightest inkling that he was coming?—Not the least.

4070. Had you heard either from Mr. Collins or Mr. Barnes that they had been in communication with James before?—I had heard that a man named Henry James, who was a messenger at the Bury election, was supposed to have been served with a Speaker's warrant; that was all I knew about it.

4071. Before he came to Writtle, had you heard that Mr. Barnes was in communication with him at Colchester?—No.

4072. Or that Mr. Collins was in communication with him?—No.

4073. What did you say in answer when he said, "You know what I am come for;" did you say you knew nothing about it?—I said I knew nothing about it.

4074. He addressed you at once, "You know what I have come for?"—Yes.

4075. Had you any idea he was coming over at all?—Not the very slightest.

4076. Had you any communication with either Mr. Barnes or Mr. Collins before James came, or with regard to James, either verbal or written?—Do you mean with regard to James coming over to Writtle?

4077. And with regard to his conduct in the election; with regard to James at all?—I have told you all I knew was, that a man named James was supposed to have been served with a Speaker's warrant.

4078. When did you hear that, and from whom?—I heard it from Mr. Collins a few days before this took place.

4079. I observe when you speak of J. W. Clark, you do not deny that J. W. Clark had had money of yours in his hands, you merely said he was not an agent of yours?—Oh, yes, I did deny it.

4080. I took down your words: you said, "Even if he had had money of mine in his hands, he is no agent of mine?"—I never acknowledged that he had had any money of mine in his hands.

4081. The expression you used was, "Even if he had money of mine in his hands, he is no agent of mine?"—I did not.

4082. You did not say he never had money of yours in his hands?—I may have said that afterwards.

4083. You did not say it then?—No.

4084. How long did the interview last at Writtle?—I should think about 20 minutes.

4085. Was there any person present?—No.

4086. Where did it take place?—It took place in the road, before my house; it began in the churchyard, and went on in the road before my house.

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4087. Do you know a person named Miller, a shoemaker, at Colchester?—No, I do not.

4088. You said that he said he wished to have money given him to go out of the way; will you tell the Committee the exact words he used; is that the result of your recollection, or are they the exact words?—I cannot give the exact words; but he said words to this effect: "If I go up to the Parliament House to give evidence, I shall unseat you." We then discussed the question of his having had money, as he alleged, from Clark and, he then pressed me to find him money to go out of the way.

4089. He pressed you; let us have what he said, if you please; I want what was said; what were his words; that is your inference of what he said; I want the exact words you said to him, and that he said to you, not your impression?—I think his words were, "I should like to go out of the way, but I cannot do so without money." After that I declined to give him anything.

4090. What did you say?—I said, "I cannot give you a farthing. Of course, if you have had a Speaker's warrant, you must go up and tell the truth."

4091. Was that all that passed with reference to the money; was any place mentioned where he wished to go to?—No place was mentioned.

4092. Did he mention any amount?—No, he did not.

4093. Did not he distinctly ask you, "If you will give me money I will go out of the way?"—He put it rather in this way: "If I do not have money to go out of the way, I shall unseat you."

4094. Did he say the words you are now using?—As nearly as I can recollect, I think he said those words, or words like them; saying them over a dozen times in the course of the interview.

4095. He did not say, "If you will give me such a sum I will go out of the way?"—No.

4096. Or did he say, "If you will give me money, I will go out of the way?"—He said, "If I do not have money to go out of the way, I shall unseat you."

4097. Did he say that, or is that your inference?—It is not an inference; he said that, or words to that effect.

4098. Did he use the exact words which you have just used, "If you will not give me money to go out of the way;" were those the words that were used?—Yes.

4099. He used those exact words?—Not those exact words, but words to that effect.

4100. Did any strong language take place between you at all on parting?—No.

4101. Nothing of the sort?—No.

4102. You parted good friends; did you shake hands on parting?—No; I think he held out his hand to shake hands with me, but I declined the honour.

4103. Are you quite certain that he was half-seas over, I think, you told us?—Not quite so much as that; not quite so far as that; not so drunk but that he knew perfectly well what he was about.

4104. You have told us what money passed between you and Mr. Leach; I understand you those are the only sums that passed between you and Mr. Leach during or since the election?—Yes.

4105. Did you hand any money to Mr. Collins?—Not a farthing.

4106. I suppose I may take it for granted that the accounts of the election are not yet made up?—Oh, yes, they are; you have the accounts there.

4107. Are they settled?—There is a balance to be paid to Mr. Leach.

4108. Have you had any returns from any person who was at all upon your side in that election of the expenses; has Burrows, of the Fox, sent you a little bill?—No.

4109. Do you expect he will?—I do not, and if he does, I shall not pay it.

4110. Is Mr. Leach's whole account unsettled; how much is due upon it?—I think I told you I gave him 50*l.*; if I may be allowed to refer to the letter; I think I have the letter in my pocket (*the Witness looked for the letter*); I have not got it; I think there is about 120*l.* due.

4111. Will you tell the Committee how it is that that account has not been paid before; the amount is 204*l.* 18*s.* 11*d.*, of that you gave 90*l.* during the election?—Yes.

4112. How is it that that account has not been paid before?—Simply because I have neglected to do it.

4113. The

4113. The nonpayment has nothing whatever, will you undertake to tell the Committee, to do with this petition?—Nothing whatever.

4114. Do you recollect meeting James when you were canvassing with Mr. Le Grice and Mr. Collins about the 12th of March?—That I do not.

4115. Do you recollect canvassing Ellis, the pork butcher, about that time, or canvassing him at all?—Yes, I recollect canvassing Ellis; but I do not recollect seeing James.

4116. Do you recollect James telling Mr. Collins, or Mr. Le Grice, or whoever was canvassing with you, in your presence, on any day previous to the election, that John Clark was seen in and out of Bellman's, or words to that effect?—No, I do not.

4117. You will not say it did not take place, but you do not recollect it?—I do not recollect it.

4118. Are you aware of the fact that J. W. Clark claims to be put upon the register as a voter?—Yes.

4119. And I think had his case argued before the Court of Common Pleas?—So I have been told, but I do not know it of my own knowledge.

4120. Who paid the costs of that appeal to the Court?—I do not know.

4121. Did you pay anything at all, directly or indirectly, towards it?—No, nothing.

4122. Have you ever heard who paid the costs or not?—No.

4123. Have you ever heard who paid the costs of that appeal to the Common Pleas?—No, I never heard it.

4124. Have you promised to pay them?—No, I have not.

4125. You have not paid them?—No, I have not paid them.

4126. Have you ever been asked to do so, or do you know who was the solicitor employed for conducting the appeal?—No.

4127. You never heard that it was Mr. Collins?—No.

4128. As to the committee, you of course saw "Mr. Hardcastle's committee-room" in large placards put up?—I did.

Re-examined by Mr. *Hawkins*.

4129. When you were asked whether there were several gentlemen who came, and you said there were several gentlemen, whose names you gave us, in what is called the committee-room, were there besides those gentlemen a great number of electors, from time to time, calling in at the committee-room to know how matters were going on?—Yes.

4130. That is to say, without having anything to do with or interfering with the conduct of the election?—Yes.

4131. That is a usual thing, I believe, at elections?—Yes.

4132. You mentioned Mr. Braddock and Mr. Last; had the gentlemen who came in from time to time to the committee-room anything to do with the election, or did they take any active part in managing it for you?—No.

4133. They had nothing to do with it; they came to gain information?—That is all.

4134. As far as regards the election itself, you say the whole matter was managed by Mr. Collins for you?—Yes.

4135. And that Mr. Graves was a sort of secretary?—Yes; my reason for calling him a kind of secretary is, that I think he wrote out and directed the notices to the voters.

4136. Had he any authority beyond that?—Not a bit.

4137. My learned friend asked you very particularly as to this conversation, and asked you whether you could recollect the precise words; do you recollect Nowton Court being mentioned in the course of the conversation?—Yes, I do.

4138. Is that the residence of Mr. Oakes, of Bury?—Yes.

4139. What did James say about Nowton Court?—James told me he could live like a prince at Nowton Court, if he chose; I forgot to mention that.

4140. You have given us the substance of all those words; I need hardly ask you whether you would pledge yourself to precise words of a conversation that took place even yesterday?—No.

4141. Is there any mistake as to the substance of the words?—No, certainly not.

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4142. As to the messengers, was there, to your knowledge, a single messenger hired beyond those persons who were necessary for the purposes, or was there a single man hired that was not used?—Certainly not, so far as I know.

4143. There were no persons who received half a guinea a day for doing nothing?—No; certainly not.

4144. By the *Committee.*] I think you called upon Mr. Robinson, and had some conversation about Mrs. James?—Yes.

4145. In what way did that conversation arise about Mrs. James's illness?—I do not recollect accurately how it arose, but I think Mrs. Robinson brought the matter up, and began to complain, and tell a piteous tale about her sister's illness.

4146. I understand you to say that you mentioned to Mr. Collins and those who were there that you wished to give something to the poor woman?—I think I did.

4147. Did you mention any particular sum?—I do not recollect that I did.

4148. When you met James Clark, did he ask you for any particular sum for Mrs. James?—I cannot charge my memory whether he did or not.

4149. Did he ask you for money?—My impression is, that the matter was talked over in the interval between my seeing Mr. Robinson and James William Clark, and that I having ascertained that Mrs. James was not the wife of a voter, it was thought that I might safely give her a little money. I decided to give her a sovereign.

4150. Did Clark ask you for a sovereign, as far as you can recollect, or did he ask you merely for money?—I think he asked me merely for a sovereign, having been probably told by some one that that was the sum I meant to give.

4151. Did you know James Clark before?—Yes; I had known him ever since the last election.

4152. Was he employed by you?—No; he was not.

4153. Do you remember canvassing Samuel Wilson?—I do.

4154. About what time?—I cannot charge my memory about the time; but somewhere about three weeks before the election.

4155. Were you there with Mr. Collins; do you remember?—Yes; I heard what Mr. Wilson said; I think he gave a very accurate statement of it.

4156. Do you remember whether there was any one going in when you were coming out?—I do not remember seeing the little girl.

[The Witness withdrew.

Mr. *Henry Le Grice* was called in, and having been sworn; was Examined by Mr. *Atkinson*, as follows:

Mr. *H. Le Grice.*

4157. I BELIEVE you reside in Bury St. Edmund's?—I do.

4158. And carry on the profession of a Solicitor there?—I do.

4159. I believe you are also a magistrate of the borough?—I am.

4160. Are you cognisant of the circumstances of Bury, as far as regards the politics of the borough?—I have lived all my life in Bury nearly.

4161. With regard to the political feeling in the borough, has there been a change in Bury latterly?—I think there has been a change in favour of the Liberal party since the last registration.

4162. How has that taken place?—In consequence of new voters coming on at the last registration; in consequence of a great change; local changes, a large banking concern having been given up.

4163. I will ask you, also, do you know a gentleman of the name of Graves?—A tailor.

4164. Yes?—I do.

4165. Did you ever hear him in your company say, with reference to William Clark, the tailor, "Well, James, you are a non-elector; you know what to do;" was the expression used, "Go and do as you like?"—No, never.

4166. You never heard Graves say that to James during the election, or at any other time?—Never.

4167. I believe there was no committee in this case was there?—There was not.

4168. We have been told that you and the candidate canvassed together sometimes?—I did canvass with the candidate.

4169. Do you know Cullum's house?—I do; the voter.

4170. Do

4170. Do you know, as a magistrate, the character of that house in any shape or way?—It has a very bad name, a very bad repute.

Cross-examined by Mr. *Rodwell.*

4171. You say there was no committee; was not committee business transacted in that room?—There were one or two clerks to make out the returns.

4172. What were they doing?—Filling up circulars.

4173. Were the books of the registrar upon the table?—The books of the registrar were upon the table.

4174. Were they making returns to canvass?—No.

4175. What were the registrar's books there for then?—To send to the voters their names as they stood on the register.

4176. When you came back, after canvassing with Mr. Hardcastle, did you enter the names of the voters who had promised in a book?—No.

4177. Who did enter them?—I did not enter them anywhere.

4178. Do not you know of any book in which they were entered?—I believe Mr. Collins kept a memorandum as he went along, and so did Mr. Hardcastle. I kept no book whatever?—I merely accompanied him as a friend in his canvass.

4179. Is Mr. Last your clerk, or Mr. Leach's clerk?—He is my clerk; I lent him.

4180. What did you lend him for?—Mr. Collins wanted the assistance of a clerk.

4181. What for?—To fill up circulars and letters at the committee-room.

4182. I thought you said there was no committee?—It goes by the name of committee.

4183. If it had not been the time of election, would not you have called it a committee?—It was Mr. Hardcastle's room.

4184. Did not the gentlemen who managed Mr. Hardcastle's election meet in that room?—His solicitor and the professional men.

4185. Nobody else?—Certain men were hired to keep the door of the passage, and that sort of thing; but there was no committee; I formed no part of a committee.

4186. Was not it put up in large letters that Mr. Hardcastle's committee sat there daily?—Yes, it was; and it was done so at the other room, Mr. Oakes's room.

4187. You lent your clerk for how many days?—I think he was there for a week; he went on the Monday or Tuesday. I cannot say.

4188. He was there a week, was not he?—He was there a week.

4189. You know Graves; was he employed a week?—Graves was employed a week?

4190. Mr. Collins was there?—He was there.

4191. Mr. Collins was principally canvassing with you and Mr. Hardcastle, was not he?—Yes.

4192. Did you see James William Clark there, the hallkeeper?—I saw him come in only once.

4193. Did not he come in about the election?—I had no conversation with him.

4194. Did not James William Clark come in about the election?—Very likely he might.

4195. How long was he there?—I should think he was not there 10 minutes.

4196. Whom did he come to?—Somebody at the end of the table. They were writing circulars.

4197. Who were writing circulars?—Mr. Brooks' clerk, and my clerk, and Mr. Hardcastle's clerk.

4198. Doing nothing else but writing circulars for a week. Were they not striking off voters, upon the information brought in —Certainly not; I never saw anything of the sort.

4199. Nothing but writing circulars?—Nothing but writing circulars.

4200. How were the 37 messengers employed?—I had nothing to do with them.

4201. What was the duty of the messengers at the Bury election?—I saw a basketful of letters, about as high as that; I really myself thought they would never be delivered without a great many messengers.

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4202. You mean the messengers were to carry those letters?—It took a day, if not two days, to put them in envelopes; the letters.

4203. What is the constituency at Bury?—About 700 to 800.

4204. And we have been told that you can walk round a band and play in all the streets and places in half an hour. Can you tell me, with the exception of carrying out these letters—we will assume there were 700 of them—anything else the messengers were to do?—They were sent round, I believe, to watch whether any voters were taken away, or anything of that kind.

4205. Was James employed upon that?—No; I do not know James at all.

4206. Do you know him by sight?—I do now.

4207. Did you know him before?—I did not; he has been pointed out to me since; I did not know him by name.

4208. Of these messengers there were 37; do you know that Lord Jermyn had but three?—No, I have not looked at the list.

4209. Were there many messengers standing lounging about this house and rooms all day long?—They were standing about in a spare room; it was an empty house.

4210. Doing nothing?—They were at liberty to go about when they were required.

4211. In your judgment, were 37 messengers necessary for the Bury election?—I do not think they were all messengers; there were some of them door-keepers.

4212. Were 37 messengers necessary?—I cannot say what they were all employed about.

4213. Supposing there were 37 messengers employed, in addition to clerks and secretaries, and so on, do you think they were necessary?—It is almost impossible for me to say what duties there were for them to do; I took no part.

4214. You were canvassing about, and were out and in the committee-room. I put the question for a candid answer. In your judgment, were 37 messengers necessary to carry on the canvassing and the business of that election. I ask for a candid answer?—I cannot say at all, because I do not know what they had to do.

4215. Had you ever been engaged in a Bury election before?—No.

4216. Or a municipal election. Do not you take an active part in politics in Bury?—I take one particular view.

4217. Do not you take a very active part in addition to that one particular view?—No, I do not consider I do.

4218. Was not it an active part accompanying Mr. Hardcastle in his canvass from day to day?—But I invariably voted for one Conservative and one Liberal.

4219. For Lord Jermyn?—No.

4220. I put it to you, as an old inhabitant of Bury, and knowing the number of the constituency, was there any pretence for 37 messengers for that place?—I do not see how I can answer that, because I do not know what they were required to do.

4221. You are a solicitor?—I am.

4222. Were you engaged in the county election?—No; never been concerned in an election, professionally, in my life.

4223. Do you mean to say you cannot form an opinion?—I cannot.

4224. You took a very active part in 1852, did not you?—That was for Mr. Hardcastle.

4225. Were the circulars printed circulars?—I think they were.

4226. Then the clerks and the staff there had to fill them up and direct them? Yes, and the correspondence.

4227. Can you tell me whether a great many of those messengers were voters, and friends and relations of voters?—No, I do not know the fact; I do not know, in fact, who was hired as a messenger at all. I only saw the names in the newspaper who were, but I did not know at all.

Re-examined by Mr. *Hawkins.*

4228. I believe you say you do not know much about them, but do you know whether messengers, doorkeepers, and bill-posters, those persons who have that sort of work to do, were all included in the 37?—I think they were; but I have not looked at the list.

4229. By

4229. By the *Committee.*] I think I understood you to say you think the change by the new register of voters has been rather favourable to the liberal interest. Do you know at all how many came on the register between the election of 1852 and 1857, new voters?—I think 195; I am not quite sure.

4230. You do not remember what the strength of the constituency was in the election of 1852; I mean whether it has increased, or not, from that?—No, I do not think there has been a very great increase in the number of voters.

4231. You think as many as 195 new voters came on since the election of 1852?—Yes; but others have gone off.

4232. But those were fresh people, who did not vote in 1852?—Fresh.

4233. Those 37 messengers were employed in the week of the election, were they not immediately before the election?—Commencing about the Monday, I think, previous to the election.

4234. When did you send your circulars out?—I was so little there that I can hardly answer the question when they sent them out, but I think during the week.

4235. You said you saw a great heap of circulars?—Yes.

4236. Were those circulars only sent out the last week?—They were sent out the latter end, just about the day before the polling, I think, or the evening before the polling; they were filling them up during the week, I saw them there.

4237. Had Mr. Hardcastle any regular committee?—None whatever; anybody went into the room, the room was full at all times, any respectable person went in.

4238. But outside was put up, "Mr. Hardcastle's committee-room?"—Yes, on a large bill.

4239. How long before the election?—A few days before, I think, either it was up on the Tuesday or the Monday.

4240. When did you first begin canvassing, or when did Mr. Hardcastle first begin?—I should think some time before the election; I should think a fortnight or three weeks previous to the dissolution of Parliament.

4241. Did you not canvass a man called Samuel Wilson, a baker?—I think I canvassed him with Mr. Hardcastle.

4242. Can you remember when that was?—No, I should think about a fortnight before the election, certainly. He is a man that had always voted for the Liberal party; we merely called and he promised directly.

4243. Did I understand you to say that if James came to the committee-house, and said that Clark, the tailor, was likely to be got away by the other party, and you are reported to have said, "I do not know what is to be done, that 6*d.* would turn Mr. Hardcastle out," do I understand you to say that statement of James is incorrect?—It is.

4244. And the statement of Graves, that Graves said to James, "You are a non-elector, go and do as you like"?—That is false.

4245. Do you remember James coming, and saying anything about any voters being likely to be got away?—I recollect being called out of the committee-room by a gentleman.

4246. Not by James?—Not by James.

4247. Are you certain, not by James?—Not by James, and I went into the room where James was.

4248. James was present?—Yes.

4249. Was there any conversation about voters being likely to be got away?—Yes.

4250. What was the conversation?—He addressed himself to Mr. Braddock.

4251. Who did?—James.

4252. Do you recollect what he said?—He said there was a voter who had promised Mr. Hardcastle, who was intoxicated up at the Griffin, and he ought to be taken care of for the night.

4253. What reply was made to that?—He wanted an order that he might sit up with him, and take care of him; Mr. Braddock declined giving him any order whatever; in fact he was very angry with him for asking any such question.

4254. Did you take any part in that?—None whatever, I was called into the room.

4255. When Mr. Braddock was very angry, what did James say when he said he would give him no order?—He seemed very angry and went away.

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4256. That was all?—Yes.

4257. Was the elector's name mentioned at the time?—Braddock asked the name, and he said "Clark," I believe it was "Clark;" I think Braddock's reply was "I do not know Clark."

4258. Were you with Mr. Hardcastle when he canvassed Robinson?—No, I was outside the door; I did not go in.

4259. You did not hear any conversation about Mrs. James?—No; it is a little place; I did not go in at all.

4260. Do you remember anything being said about any gift to Mrs. James, after you had left the house?—No; I never heard of it, I never knew of any at all.

[The Witness withdrew.

Thomas Collins, Esq., having been sworn; was Examined by Mr. *Hawkins*, as follows:

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4261. YOU reside at Bury?—I do.

4262. You are practising as Solicitor there, and you are also registrar of the county court?—I am.

4263. Did you act as Mr. Hardcastle's agent in the management of the last election?—I did.

4264. Was there any committee at all formed for the purpose of conducting that election?—I never heard of it until I came into this room.

4265. Then you can answer my question whether there was, as a matter of fact?—There was not.

4266. To whom was the management of the election entrusted?—To myself.

4267. I dare say you can tell me. We hear there are a great number of new voters?—I believe there are 183 since the election in 1852.

4268. How do you account for them?—Ninety of which, or about 90 voted for Mr. Hardcastle, and 60 for Mr. Oakes.

4269. We hear there was a majority of eight at the previous election in favour of Mr. Oakes?—Yes.

4270. The house was called the committee-room, I believe?—Yes, for the purpose of giving people to understand that any communications respecting the election might be made there.

4271. Is it so, is it a mistake of Mr. Le Grice's or not, that there was a placard there with "Mr. Hardcastle's committee sit here daily"?—There was no placard of that kind at all. The only placard was "Mr. Hardcastle's Committee."

4272. Did you accompany Mr. Hardcastle in his canvass?—I believe I did every day he canvassed, with one day's exception, and saw every voter.

4273. Now with reference to this, first of all, to this pound that was given to Mrs. James. Were you present when Mr. Hardcastle canvassed Robinson?—I was.

4274. Did you hear anything said to Mr. Hardcastle upon that day, upon the subject of Mrs. James?—I heard Mrs. Robinson say something about the great distress of Mrs. James, but I did not take any particular notice of it.

4275. Did Mr. Hardcastle?—Not at all.

4276. Did you obtain the promise of Robinson's vote?—I believe he did promise.

4277. How long after this canvass was it that the 1 *l.* was actually paid?—I should think ten days afterwards.

4278. Will you state now how it came to be paid. I believe you were present at the time?—I was present at the time. I recollect James William Clark stating to Mr. Hardcastle that he had been asked by a person of the name of Downs, or that a person of the name of Downs was going to ask Mr. Hardcastle.

4279. Mr. *Rodwell.*] Was that in the street?—I think it was in the street. I differ with Mr. Hardcastle on that.

4280. Mr. *Hawkins.*] You say you think it was in the street?—I do; he said that a person of the name of Downs was about to ask Mr. Hardcastle, to represent to him the distressed condition of a poor woman of the name of James, who was actually dying from not having the common necessaries of life. Mr. Hardcastle turned round to me, and said, "Who is this person? Is there any harm in my

my giving her a sovereign," and I said, "Certainly not, in my opinion." I advised him to do so without any regard whatever to Robinson's vote or anybody else's vote, and he gave a sovereign to Clark. He said "Clark, perhaps you will let the poor woman have this sovereign."

4281. At the time that sovereign was handed, was there the least doubt in your mind as to Robinson's vote?—Not the slightest. There was not a man in Bury who was more certain to vote than Robinson.

4282. Just now with regard to some timber-legged old gentleman; you heard of James's account of the conversation between you and him with regard to the timber leg?—I did.

4283. Did you tell him to go and stir up the old timber-legged gentleman?—Most certainly not.

4284. Did you ever incite him to meddle with the timber leg?—Certainly not.

4285. Did James say to you that he had no money to stir him up, or anything of that kind?—Certainly not.

4286. Did you ever say, "It will be all right"?—Certainly not.

4287. Did you give him the least sanction or authority for interfering with that old gentleman at all?—Not in any way.

4288. There was only one interview, he said, in Mr. Hardcastle's presence; did you tell James in the committee-room that he must go and look after the timber-legged old gentleman again?—Certainly not.

4289. There was a payment made to the bellringers?—Yes.

4290. I think there was one of the witnesses who said it was Clark's hand that actually paid the money; just explain exactly how that happened?—I recollect Clark and Ransdell, one of the ringers, came to my house about half-past six, as I was sitting down to dinner in the week after the election, and saying that they had called for the money for the ringers. I referred them to Mr. Leech, who was the agent for the election expenses. At that moment Mr. Leech went by my window, and I called him into my hall; he was told what the object of the call was.

4291. Mr. *Rodwell.*] Was Clark present?—Clark was there; he was told the object of the call, and he said he had no money with him; the amount was 5 *l.*; and that he could not then return home to get it. I believe he offered a cheque, and Ransdell made the remark, that a cheque would be of no use, as he wanted the money to divide amongst the ringers that evening. He then recollected that James William Clark had been receiving monies for him from the members of an association of which he was the clerk, and he requested James William Clark to pay the 5 *l.* to Ransdell out of such monies.

4292. Was that done then?—I heard no further of it.

4293. The monies you say that Clark had, that he had collected for Mr. Leech, had nothing to do with the election expenses, or anything of that sort?—Certainly not.

4294. Some association; some private matter between them?—It was quite an accident, the occurrence.

4295. You appointed for the most part the messengers?—I believe I did; I kept a list in the committee-room.

4296. A question was put to Mr. Le Grice as to whether those 37 messengers were necessary for the purpose of the election?—I believe they were, for a contest of that description.

4297. Did the 37 persons include messengers, doorkeepers, billposters, and persons of that description?—They did.

4298. I believe the allowance to them was 5 *s.* a day?—Five shillings a day was the amount paid.

4299. The whole amount came to what?—I think about 19 *l.* altogether; several were employed on the Tuesday, Wednesday, Thursday, and Friday, and of course an additional number in the bustle of the election day.

4300. Was there a single person appointed whom you did not believe was required for the purpose of the election?—I believe not.

4301. Was there one single appointment made with regard to any vote at all that was given by any one?—Not to my knowledge.

4302. In the appointment, did you speak to a single person about a vote?—Most certainly not.

4303. Or ask him a single question about it?—Most certainly not.

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4304. With regard to Robinson; was Robinson in the least degree a doubtful person?—I have said before, I considered him as certain a vote as any man in the borough.

4305. Did you ever, either directly or indirectly, authorise James to spend any money in the election?—Not one farthing.

4306. Or Burrows?—Certainly not.

4307. Or Clark?—Certainly not.

4308. Was there any money at all spent by either of them with your knowledge, or sanction, or authority?—Certainly not.

4309. With regard to the band; did you say anything with regard to the band?—I heard in the committee-room, about half-past three in the day, that they were going to parade the town with a band; I instantly sent for the bandmaster, Robert Barton, who happened to be an officer in my court, and I told him under no circumstances whatever to have anything to do with it. I repudiated the band myself entirely altogether.

4310. One question more as to Clark; did you know until after the election, and upon the eve of this inquiry, that it was known at all he had spent any money?—I never knew until I examined Clark for the purposes of this inquiry, that he had spent one shilling for the purposes of the election.

4311. Was he in any shape or way an agent for Mr. Hardcastle?—Most certainly not.

4312. Or in any degree recognised as such?—Most certainly not.

4313. Did he upon any occasion attend you upon the canvass?—Most certainly not, to my knowledge or recollection.

4314. With regard to Bellman's vote, were you present when he was canvassed?—I was. We met him in the street upon the first occasion.

4315. Was there any hesitation upon the part of Bellman?—He promised directly, unhesitatingly.

Cross-examined by Mr. *Rodwell*.

4316. Did you hear Mrs. Bellman say she was in difficulties, and would not vote unless she was paid for it?—I did not.

4317. Did you hear Bellman state himself. I think you have been present in the room all the time?—I have.

4318. Then what Bellman has stated himself, and what Mrs. Bellman has stated, are both untrue?—I heard Bellman afterwards say he had been applied to by a person of the name of Buckingham, and something was said about 20*l.* for his vote. I advised him not to take any promises, but to have the money before he voted.

4319. Then how can you reconcile that with the statement that Bellman promised distinctly he would vote for Mr. Hardcastle?—He did promise distinctly and unhesitatingly upon the first occasion.

4320. Then, in effect, your statement is directly at variance with Mrs. Bellman and Bellman?—That is, as it may be.

4321. If Bellman has stated that he never did make up his mind until the last which way to vote, and if Mrs. Bellman stated she was in difficulties, and would not vote until she knew what she could get, that does not agree with your statement?—He distinctly promised the first time.

4322. When did you go the second time?—I only went the second time hearing that somebody had been to him for Mr. Oakes, and that some discussion had taken place about 20*l.*

4323. Upon the second occasion you found he was not so staunch as you expected?—I did.

4324. You found the second time he was an uncertain voter, was not he?—I think so, certainly.

4325. A man open to influences?—I think so.

4326. Do you know of Robinson going to him?—No.

4327. You do not know anything of that?—I never heard a word until it came out for the purposes of this inquiry.

4328. You told my learned friend just now that until you inquired of James William Clark for the purposes of this petition, you did not know that money had been spent for the purposes of the election; you do know it now; will you tell me how much has been spent for the purposes of the election?—I will tell you. Clark told me the only money he had given to James, or rather, the only authority

authority he had given to James to borrow money, was 5*s.* at the Griffin tap, and that was for the purpose of watching the opposite party, to see what was going on.

4329. That is what Clark told you?—That is what Clark told me.

4330. Did you mean that is all the money you are aware of that was spent for the purposes of the election when you gave that answer just now?—I did, by Clark.

4331. By anybody else?—I do not know of anybody.

4332. You have examined nearly every witness served with a Speaker's warrant, have you not?—It was my duty to do so.

4333. Did you take down their statements in writing, and have conversation with them upon the evidence they were to give?—Most of them.

4334. And have been in the room while they were examined?—Yes.

4335. Am I right in understanding that when Clark was paid a sovereign for Mrs. James, you, Clark, and Mr. Hardcastle were all together in the street?—We were all together; whether in the street or the Guildhall I am not prepared to state; but we were all together, and Mr. Hardcastle did not give any money without asking me if it could be in any way considered an illegal payment.

4336. Mr. Hardcastle took your opinion, as a lawyer, upon the subject, I suppose?—I gave him my opinion as a common-sense man.

4337. Did you think it dangerous?—I did not.

4338. Are you aware of any other similar case happening during the Bury election?—Not one.

4339. You did not meet with any other applications for money for charitable purposes?—When you canvass you are always certain to meet with people who have complaints to make.

4340. This was the only one you listened to?—I do not consider that this one was listened to; it was not anything that took place upon the canvass; it was in consequence of a communication which Clark made to ask Mr. Hardcastle, from Downs, the rate collector.

4341. Was James at that time appointed as a messenger?—No, certainly not,

4342. You appointed him, I believe?—Well, he was always a messenger upon the Liberal side; he had been upon all occasions; and therefore I considered him as one without telling him.

4343. He knew as much about your side, as to the voters and their politics, and the election matters, as anybody, did he not?—I do not think he did.

4344. He had been always engaged upon the canvass?—Not upon the canvass, but as running about for messages.

4345. Did you select all the 37 messengers?—I selected most of them.

4346. Who selected the others?—I cannot tell you; various people spoke to me for such and such parties, and if I considered them proper parties, I put them down.

4347. Did you put all the 37 down?—I did.

4348. Who were the parties that came and asked you; were they the brothers of the voters, and the friends and the sons?—No.

4349. Who were they?—They were various people, who interested themselves in the election.

4350. Did you want them all?—I was asked to put down four times the number that were put down.

4351. Then you could not screw your courage up to putting down more than 37?—I took what I considered necessary.

4352. Do you mean positively to state before these gentlemen that you considered 37 messengers necessary?—I do; I do not believe you can do with a less staff than we had for such a contest as we had.

4353. If those persons had not asked you to employ the 37, would you have employed so many?—I should certainly not have had less than 30; I do not think 37 was too many.

4354. Were you not induced to employ so many as 37 messengers because you were solicited, and induced, and pressed by parties who had an interest in the election?—I should say not.

4355. Then I understand you to say, whether you had been pressed or not, you would have considered it necessary, in conducting Mr. Hardcastle's election,

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to have employed as many as 37 messengers?—Messengers and doorkeepers; the staff I had was not too many.

4356. What had those messengers to do?—They kept the doors in the committee-room.

4357. How many doors were there to begin with; one street-door?—There were various rooms in the house.

4358. There was more than a committee-room, then?—Yes; it was a committee-house.

4359. How many rooms were occupied?—I think three.

4360. How were they occupied?—The two back rooms were used as public rooms, for people to go in, and to discuss what was going on, and the front room was a private room.

4361. For those gentlemen who came to discuss how the election was going on; I presume they were all Mr. Hardcastle's friends?—Most of them; I saw some who were not.

4362. Did not they come there upon the business of the election, and in the conduct of the election?—The gentlemen who went there did.

4363. Those who came, as you say, to discuss matters?—I saw some there who were voters against us.

4364. In Mr. Hardcastle's committee-house?—Yes.

4365. In the outer rooms?—In the back rooms.

4366. What were they doing there?—They were talking with others; there was no private business going on in those rooms.

4367. Do you mean the gentlemen in the town?—Yes, tradesmen.

4368. Name one?—A man of the name of Pierce and a man of the name of Fordham were voters against us.

4369. Do you know what brought those gentlemen there?—I do not know.

4370. Did you never inquire?—I did not. I thought they ought not to be there.

4371. Do not you know that they came upon private business, to speak to some gentlemen in that committee-room?—I do not.

4372. Do you mean to say that Mr. Pierce and Mr. Fordham were in the private room where you were carrying on the election business?—Certainly not.

4373. You did not ascertain that they came there to speak to two gentlemen who were in the committee-room on private business?—I do not know that.

4374. How long were they there?—I do not know.

4375. How many messengers were necessary to watch the rooms?—There was a doorkeeper at the front door, and a doorkeeper at the private room, and there was a doorkeeper at the door leading into the back entrance.

4376. If it was such a quiet place as you have told us, and so little going on, what was the necessity for those three doorkeepers?—You must have doorkeepers to prevent improper people going in in the bustle of an election.

4377. To let in no people but your own voters; was that what they did?—That was the instruction they had.

4378. By whose instructions was the placard put up about Mr. Hardcastle's committee?—Mine.

4379. Was that done for the purpose of informing the people of Bury that Mr. Hardcastle's committee sat there?—It was done for the purpose of informing the people of Bury that Mr. Hardcastle's friends might be communicated with there.

4380. Was not it to let the Bury people know that there was a committee-room there for the purposes of Mr. Hardcastle's election?—I do most solemnly swear that it was not.

4381. That placard was not put there for the purpose for which it professed to be put there?—It was put there for the sole purpose of letting people know that Mr. Hardcastle's friends might be communicated with there; I could not have them at my own private office; that was the sole purpose of having it marked on the placard, "Mr. Hardcastle's committee-room."

4382. Was that placard put out in order that the voters and other people interested in the election might know where Mr. Hardcastle's committee was sitting?—Certainly not; not that word committee.

4383. Do you adhere to that answer?—Yes, I do.

4384. I believe you are a solicitor?—I am.

4385. And

4385. And you state distinctly that that was not the object?—I do.

4386. Were the placards printed by your desire?—They were.

4387. Then Mr. Le Grice was wrong in saying that the placard said, "Mr. Hardcastle's committee sit here daily"?—Quite wrong.

4388. Was it posted in letters upon the door that the committee sat there daily?—I never saw it.

4389. You never saw it?—Certainly not; and I should have seen it if it had been there.

4390. How were the other 34 messengers employed besides the three at the rooms?—In taking messages about in every direction that might be wanted on the day of the election.

4391. The constituency is 700; did you send circulars to every voter, including those whom you knew to be of the opposite party?—I believe so; but I did not do that.

4392. Mr. Oakes, for instance, and the other gentlemen conducting his election?—I cannot give an answer to that; I did not do that myself.

4393. Were the other 34 employed in distributing the circulars?—Not in that alone.

4394. What else?—Various other people that had to be sent to, to come down to the committee-room.

4395. Voters?—Some voters, and others not.

4396. When the voters came down to the committee-room, what was done there?—I might have messages to send for them to parties they wished to send to.

4397. What were the voters in the committee-room for?—People that came there to see me; I saw them there.

4398. If a voter came down there, I suppose the object was to promise his vote?—Oh no.

4399. What for?—About the vote of some one else that he could tell us of.

4400. Did not you send for the voters to come down there?—No; I should not send for a voter to come down about his vote, but he might inform me about somebody else; he might give information respecting somebody else.

4401. That information, I suppose, was put down in a book?—No, it was not.

4402. Then you carried it in your head, did you?—I used to carry it in my head, and most likely attend to it directly.

4403. Do you mean that those 34 messengers were going about Bury getting information as to voters?—They were only employed on the day of the election.

4404. How many were employed during the week?—Perhaps five or six out of the 37.

4405. Who were the five or six?—James, and Skates, and Whiting, and Robinson, and some others.

4406. Those were employed, I understand, the whole time?—Those were employed, some four days, some five, some perhaps three days.

4407. Was Bullock one of them?—I do not remember that he was; I think not.

4408. When did you hire the other messengers; the night before the election?—They were put down several days before to be employed upon that day.

4409. Did you keep a book?—I put them down on a slip of paper.

4410. Did you send to those messengers, or did the parties who came and brought their names convey a message back to them that they would be wanted?—I did not send for them.

4411. Suppose some friend of Welsh's came and said that Welsh wanted to be one, did you say, "Well, I will put his name on." Was that the way?—I think it was.

4412. Were they all paid alike?—No one was paid more than 5*s.*; they were paid according to the time they served.

4413. Who was Wright?—Wright was the doorkeeper, and had the management of the house.

4414. Were they employed the whole of the election day, those messengers?—Yes.

4415. Were they bringing information upon the election day?—They had to bring check sheets from the booths, others to run after the voters, and ask them to go up and poll early, and various things of that sort.

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4416. You told my learned friend that you did not recollect that you did say anything about the timber-leg gentleman?—Yes.

4417. Did you say anything about Porter?—No.

4418. Did any one do it that you heard?—Not to my knowledge.

4419. Do not you recollect the words "timber-legged gentleman?"—I never heard that expression till I came into this room.

4420. Did you hear Porter's name mentioned one day when you were walking in Bury, and had James with you?—Not to my recollection.

4421. With reference to his vote?—Not to my knowledge.

4422. Can you state that you have a positive recollection that you did not?—I heard the name of every voter in Bury mentioned in the course of canvass.

4423. I suppose you were a good deal bothered and occupied at this time about the election?—I was canvassing, and engaged, I believe, for a month before the election.

4424. Did James William Clark take an active part in the election?—He did.

4425. By your orders?—Certainly not.

4426. By whose orders?—I cannot say.

4427. But not by your orders?—Certainly not.

4428. You personally knew him?—I did.

4429. Did James William Clark come to you with regard to the appointment of James?—Not to my recollection.

4430. Will you say he did not?—No.

4431. Did James William Clark ever apply to you for money?—Never.

4432. Did James William Clark speak to you, not in Mr. Hardcastle's presence, with regard to Henry James, and the money that was to be paid Mrs. Robinson?—Certainly not.

4433. Neither mentioned Mrs. Robinson nor Mrs. James by yourselves?—Certainly not.

4434. How came Clark to be with you and Mr. Hardcastle that day; did you meet there, or were you walking together?—We were walking together.

4435. What were you doing?—Canvassing; Mr. Hardcastle and myself were canvassing, and we met Mr. Clark.

4436. When you met Mr. Clark, he asked for some money for Mr. James, did not he?—He told us of the case of distress immediately he met us.

4437. Did you know that Clark did not receive the money for the bellringers, but that a man of the name of Partridge did?—I have heard so; Ransdell and Partridge called together, I believe.

4438. Were they present at the same interview?—Partridge did not come to my house; Ransdell and J. W. Clark came to my house.

4439. Was not Mr. Leach there at the time?—Mr. Leach came in.

4440. How was it that Clark came to you; can you account for that, that Clark came to you for the money, because Mr. Leach was the agent for the election expenses?—I cannot tell you; I believe I ordered the bellringers; I gave instructions for the bellringing.

4441. Was Clark often in the committee-room?—I saw him there twice or three times.

4442. Will you state that that was the greatest number of times you saw him there?—I do not believe I ever saw him more.

4443. Will you pledge your word he was not there half a dozen times?—I will certainly; I never saw him there half a dozen times.

4444. Were you out during the entire day canvassing?—Not the three or four days that the committee-room was opened so much as the earlier part of the canvass.

4445. Do you know Mr. Baxter?—I do.

4446. Had you any communication with him during the election?—Mr. Frederick Baxter, I had no communication whatever with him.

4447. With any other Mr. Baxter?—No; there is no other voter of that name.

4448. Had you any communication with him?—No.

4449. Did you see him at the time of the election?—I did.

4450. At the Six Bells?—At the Six Bells.

4451. Did you know he was coming?—I imagined he would come.

4452. What led you to think that?—I heard he would come.

4453. From

4453. From whom?—I believe it was J. W. Clark; he told me.

4454. You got a good deal of information from J. W. Clark, did you not, about the movements of the voters, which way they were going to vote, and so on?—I got as much information from everybody as I could relative to the election.

4455. Did you not get a great deal of information from J. W. Clark?—I heard things from time to time.

4456. Did you get a great deal of information from J. W. Clark about the voters upon this election?—I think not.

4457. Name any one that you got more from?—I got a great deal more from Mr. Baxter the cork-cutter.

4458. Was he a member of the committee?—No; and I got a great deal of information from Cornell and Elvin.

4459. He was clerk to the committee?—He was a clerk on the day of election.

4460. How came Clark to tell you that Baxter was coming to vote?—I do not recollect that he did tell me that Baxter was coming to vote; but I think it is very possible I might have learnt it from him.

4461. Do not you know that you did?—I cannot swear it; I cannot answer one way or the other.

4462. Have you not a distinct recollection that you asked Clark about Baxter, and mentioned a person of the name of Ellis?—Certainly not.

4463. Do not you know Mr. Ellis?—I do not know such a person.

4464. Have you not a distinct recollection that Clark mentioned Baxter's name to you, and told you he had heard from him that he was coming down to vote?—No, I have not.

4465. Have you a distinct recollection the other way?—No.

4466. Your impression is, that he may have told you?—My impression is, that he may have told me. I heard he was a voter, from Mr. Hardcastle, that was coming.

4467. Did not you go to meet him?—No.

4468. Was Clark with you when you came to the Six Bells?—No.

4469. What took you to the Six Bells?—The election was over: it was three o'clock in the day; there were not sufficient voters to poll to turn the election.

4470. Had Baxter voted?—He had not voted.

4471. Did you not go there to see if Baxter had polled?—I did not.

4472. What did you go there for?—To see who was there; not to see Baxter; I had no idea that he was there.

4473. To look for voters?—No.

4474. Merely to look about you?—Merely to look about me. I am not sure that I did not go to get a glass of something to drink.

4475. That was the enemy's camp?—Yes; but we are very good friends, the landlord and I.

4476. I suppose you went to crow a little after the election?—Very likely.

4477. And there you found Baxter?—Yes. Shall I tell you what Baxter told me?

4478. You may tell me if you like. Had Baxter voted at the former elections?—I believe so.

4479. Is he a friend of yours?—He has been so far a friend of mine, that he has passed through the Insolvent Court twice while I have been registrar of the county court.

4480. As to J. W. Clark, you say he told you he had spent 5*s.*; did he tell you to whom he had given the 5*s.*?—He told me he had given James authority to go and borrow 5*s.* of his landlady, Mrs. Norman, of the Griffin tap.

4481. Did he tell you that he had paid James 8*s.* in Clark's, the bootmaker's shop?—He did not.

4482. That was all he told you?—That was all he told me.

Re-examined by Mr. *Hawkins.*

4483. When he told you, that was long after the election, as I understand; a very short time ago; how long was it ago; when did he mention it to you?—Some time ago.

4484. I mean long after the election?—Oh yes.

 4485. Had

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4485. Had you the least notion until he told you that he ever had got any money, or spent any money at all?—Not the least in the world.

4486. With reference to messengers, my learned friend said that you had the names suggested to you, and you appointed them; did you appoint any man at all having reference to his vote, or whose relations had a vote?—No.

4487. With reference to the whole 37 messengers, in your judgment, were they all men fairly employed about the election?—Yes. I certainly should not have sanctioned their being paid unless I believed that they had all done some service upon the day.

4488. Was there a single man paid who, in your judgment, was not paid for actual services rendered upon that day?—No; 5*s.* is the sum that they were paid; 7*s.* 6*d.* had been the sum at former elections. I reduced it to 5*s.*; I thought 5*s.* was enough.

4489. As to Mr. Baxter; had you anything to do with Mr. Baxter; did you know anything about him?—Nothing at all.

4490. Nothing whatever?—Nothing whatever; he told me in the Six Bells that he had come down to vote, but that we were in such a majority (alluding to Mr. Hardcastle's side) that his vote was of no use, and he should go and plant the Tories, catch them, and split, and get something out of them; that is the only conversation I had with him.

4491. You never communicated with him, directly or indirectly?—No, certainly not.

4492. By the *Committee*]. Did Bellman call upon you a few days ago; last week, before you came up to London?—I met Bellman in the street the first time. I asked him if he had had a Speaker's warrant. Of course, in a small town like Bury, directly a man has a Speaker's warrant it is communicated, in all probability, to the people of the town. I asked if he had a Speaker's warrant, and he told me had; and I asked him on what account, and he said he did not know; he had nothing to say: he understood he had some rum from Robinson.

4493. Was that all that passed upon that occasion?—I have no recollection of anything else; he did not allude at all to Holden.

4494. Did he allude at any time to Holden; not on that occasion, but at any other time?—Not to me; the first information I had of it was in this room.

4495. You do not know whether any circular or any letter was sent to Frederick Baxter, in London, about the election?—I do not.

4496. Which gentleman superintended the sending out of the circulars?—Mr. Brook, the solicitor, was engaged for some four or five days during the election and before the election, and he would have the management of that department.

4497. Had he the names and the residences of the voters; did he keep any book, or had he not an entry in a book of the out-voters?—No; there were very few; not more than four or five; he would ascertain those.

4498. Were any circulars sent to the out-voters?—Not to my knowledge.

4499. There might have been?—Yes.

4500. Baxter might have received a circular as an out-voter?—He might have.

4501. But to your knowledge, you do not know whether he did or not?—No.

4502. Was there anybody employed in London to give money to voters to pay their travelling expenses?—Not to my knowledge.

4503. Were you present when any messengers were paid; when James came, for instance?—Yes. James was very indignant at being offered a sovereign. I told him I considered we had had his services for four days, and, at the rate of 5*s.* a day, that was the amount to which he was entitled. He would not accept it; and I told him if he did not he should not have another farthing. Had I known that James spent any money in the election I should not have been so stupid as that.

4504. Was Graves paying there at the time?—Graves was the committee clerk.

4505. Was Graves the man who passed the money to James?—I think Mr. Last was paying the money, and Mr. Leach.

4506. Was Graves there?—Graves was in the room.

4507. Was Mr. Le Grice there?—He was there part of the time and went away again. It took us, of course, three or four hours to do all this.

4508. You say James William Clark told you he had paid some sums; did he

say

say anything about his having paid James anything for his services during the election?—He never told me he had paid James a farthing.

4509. A sum of 2 *l.*?—Certainly not. May I state what he did tell me?

4510. There is no objection to your telling it.—He told me that James's evidence respecting the amount he had given him was almost entirely untrue.

4511. That was at a subsequent conversation; since the Committee sat?—He acknowledged to the 5 *s.* he had authorised him to get of Mrs. Norman, his landlady, at the Griffin Tavern.

4512. It was subsequent to the Committee meeting that that took place?—Yes.

4513. Were any of the messengers paid more than 5 *s.* a day?—Not any one.

4514. Did any of them make any objection to the money they were paid; did others complain as you say James did?—Several others said they had always had a higher rate upon previous occasions; but I considered 5 *s.* a day was sufficient remuneration to them.

4515. Were many objections made, or were they, generally speaking, satisfied?—I think there were seven or eight objected, and perhaps more thought they ought to have 7 *s.* 6 *d.*, I have no doubt they were expecting I should give them 7 *s.* 6 *d.* a day.

4516. Do you remember what they were paid upon the election of 1852; the messengers?—I did not pay them, although I took an active part in the election of 1852; but 7 *s.* 6 *d.* is the lowest amount they have ever received in Bury.

4517. Then they were worse paid in 1857 than at any previous election?—Yes; in the election of 1852 each party had about 200 messengers and flagbearers.

4518. Then at this last election they were paid worse than they have ever been before?—Worse than they have ever been before.

4519. I see in this account they are divided; is that according to the number of days they were employed; for instance, here is Henry Hanse, Skates, and Whiting?—No, they are put down indiscriminately; that is not my doing.

4520. Do you know any reason for their being divided in that mode?—No.

4521. How many of them are voters?—That is the list; I did not put down the list.

4522. There are three on the top who are voters?—I believe there are three; a man of the name of Robinson, and Graves, and another.

4523. Of course they were all more or less connected with voters, or the relations of voters?—Certainly not; but in a town of the size of Bury you cannot have messengers who are not connected by some tie or other with voters.

4524. What was the association out of which the money came which Clark paid on that occasion to the bellringers?—An association for the prosecution of felons.

4525. Was there any organized system of attending to the registration in Bury St. Edmund's?—I attend to it upon the part of Mr. Hardcastle.

4526. I suppose the other party have their agent?—They always fight the registration; I suppose they have an organized system of doing it.

4527. Have they been more active lately in getting new names upon the register?—Bury has always been fought at the sitting revisions very sharply.

4528. Every year?—Every year; for the last five years I have attended to the revision myself.

[The Witness was directed to withdraw.

Mr. *Hawkins* was heard to sum up the evidence on behalf of the Sitting Member.

[Adjourned till To-morrow, at Twelve o'clock.

I N D E X.

[*N.B.*—In this Index the Numerals following *Rep. p.* refer to the Page of the Report; and the Figures following the Names of the Witnesses to the Questions of the Evidence.]

A.

ACCOUNTS. The accounts of the election are made up, and there is a balance to be paid over to Mr. Leech of about 120*l.*, which is due to him; it is simply witness's neglect that it has not been paid, *Hardcastle* 4104-4107. 4110-4113——The non-payment has nothing whatever to do with this petition, *ib.* 4113.

See also *Expenses of the Election.*

Agents. Witness took no part in the election further than voting, *Wilson* 3656-3661. 3706-3709——Mr. Collins acted as witness's agent in Bury, *Hardcastle* 3927——No one but Mr. Collins had any authority to act for witness, *ib.* 3930——Mr. Collins has acted as witness's agent at former elections, *ib.* 3968-3970——Witness acted as Mr. Hardcastle's agent in the management of the last election, *Collins* 4263. 4266.

See also *Canvassers. Election Agent. Clark, Mr. J. W.*

Armstrong, William. (Analysis of his Evidence.)—Witness was in passage adjoining this committee-room, and heard Mrs. Pawsey abusing Noel Stebbing; witness cannot repeat the words that were used, but heard Mrs. Pawsey say, "You will be the death of my husband," 2651-2656.

[Second Examination.]—A printer; has seen Mr. Hardcastle, Mr. Le Grice, and Mr. Collins together; grounds on which witness would form the opinion that they were canvassing together, 3041-3059.

Auditor. See *Election Auditor.*

B.

Bands. Witness recollects a band playing on the afternoon after the election; it played in front of the Fox, *Turner* 3097. 3132——Witness supplies music sometimes for the good people of Bury, *Merry* 3133——Witness had orders from Mr. Robert Barton to go up to the Angel Hill to the hustings on the election day; witness went there, but did not order the band, as they were all there at the time; they had orders from Mr. Barton, and went and played about the town, *ib.* 3134-3145——Played opposite the Fox, kept by Burrows; Barton paid the band; Burrows gave him the money; some of the band were voters, *ib.* 3146-3170. 3186-3189. 3235-3246.

Robert Barton is one of the bailiffs of the county court, of which Mr. Collins is bailiff, *Merry* 3164-3168——Some beer was sent out at the Fox, but witness did not get any of it; witness does not know who paid for it, *ib.* 3171-3178. 3239-3246——Witness believes that either Barton or his father told him that Mr. Collins had said that Barton was on no account to go out with the band, *ib.* 3190-3198. 3215-3225——They played before other public-houses besides the Fox, and had some beer, but paid for it, *ib.* 3199-3209. 3229-3234.

Witness did not sanction nor authorise any band after the election, *Hardcastle* 3939——Witness repudiated the band altogether, *Collins* 4310——Told Robert Barton, the bandmaster, who is an officer of witness's court, to have nothing to do with it, *ib.* 4310.

Barnes, John Stuck. (Analysis of his Evidence.)—Solicitor in practice at Colchester, and clerk of the peace for the borough, 3710-3712——Knows a person of the name of James, who has been examined here as a witness, 3713——Witness remembers James coming to his office in the month of June last, and, after having stated he was in a state of destitution, referring to his having been served with a Speaker's warrant, and stating that if he had the means, he would get out of the way, 3714-3719. 3870-3879. 3911-3914——

Report, 1857—*continued.*

Barnes, John Stuck. (Analysis of his Evidence)—*continued.*

Witness gave him 2 *s.* on account of his having spoken of his destitution, and before he had said anything about going out of the way, 3714-3719.

Witness does not know a person of the name of Braybrooke; the statement that has been made, that in 1852, at the Woolpack, at Bury, witness made an offer to an elector of the name of Braybrooke of 15 *l.* if he would vote, is false, 3720-3724. 3841-3851——Witness has received a letter from Braybrooke respecting this matter, and asking for money, but has only received one letter, 3725-3736. 3852——Braybrooke is the only person that has written to witness to ask for money for a vote, 3728. 3739-3741.

Witness was at the Woolpack at Bury at the election of 1852, acting for Mr. Hardcastle, and took an active part in his election; has no idea of the expenses of the election in 1852; 3737, 3738. 3742-3758——Witness's impression is, that the election of 1852 did not cost Mr. Hardcastle more than 250 *l.*; 3759-3763. 3853-3860——Witness, in consequence of a communication from Mr. Collins to the effect that James had been served with a Speaker's warrant, called on James, with a view to ascertain whether such was the fact, 3766-3840——On finding James was not at home witness left word for him to call at his office, and it was on the occasion of James calling there after this, that the conversation alluded to above took place, 3766-3840.

From what witness has since heard, he has no doubt James would have come to him, even if he had not called on James, 3866. 3870-3879——Mr. Hardcastle's name was no doubt mentioned in the conversation witness had with James, but nothing was said about Writtle, 3866-3869——As regards the election of 1852, witness never, either directly or indirectly, promised to pay a shilling to any person for a vote, 3882-3884——Further evidence as to Braybrooke's application to witness for money after the election, 3885-3889. 3893-3910. 3915-3918——Witness, in his interview with James, never told him that he would do something for him towards his getting out of the way, 3890-3892. 3911-3914.

Barnes, Mr. See *Bribery*, II. 3. *Evidence.*

Barton, Mr. Robert. See *Bands.*

Baxter, Frederick. (Analysis of his Evidence.)—Lived formerly at St. Andrew's-street, Bury; resided at the time of the last Bury election in London, 1446, 1447——Recollects a gentleman calling on him about a week before the election with reference to the election, 1448, 1449——He called twice, and witness was not at home, and an appointment was made that witness was to meet him at the Star and Fountain, in King-street, Cheapside, 1450-1456——This gentleman asked witness to vote for Mr. Hardcastle, and witness told him he should go down and vote, but did not say for whom, 1457-1459.

Evidence as to his having told witness that his expenses would be paid going down, and if what he got was not sufficient, he would have some more when he got to Bury, 1459——Witness met him again by appointment the following night, at the same place, when he called witness out, and gave him two sovereigns, 1459-1464——Witness thinks it was the same person that he saw about the election in 1852; thinks he has seen him with Mr. Le Grice, 1465-1472——Just before the election witness received a letter from Mr. James William Clark, saying that if he came down to Bury to vote for Mr. Hardcastle, his expenses would be paid; witness answered this letter, to say he should be down at a certain time, 1473-1480——Some friend of witness's, that went down with him, paid his fare; he went down with two or three friends, and has not settled with them, 1481-1486.

Evidence relative to James William Clark having met witness at the station at Bury with a cab, and they drove to the Six Bells, 1487-1499——Witness saw Mr. Collins there, and told him his agent in London had not given witness enough for his expenses; witness also made allusion to the letter he had received from Mr. James Clark, 1500-1511. 1513-1515——Mr. Collins disclaimed having anything to do with any agent in London, and also stated he knew nothing about any letter, 1500-1511. 1513-1515.

Witness has not since seen the gentleman he saw in London, 1512. 1516——Witness has not, either directly or indirectly, been in communication with Mr. Collins, or any friends of the Sitting Member, upon the subject of this inquiry, 1527-1537——Witness voted for Mr. Oakes, 1538——The reason why witness told Mr. Collins that 2 *l.* was not enough to pay his expenses was, that he reckoned lost time, 1539-1547——Witness has used several endeavours to find out who this gentleman was that he saw in London, but has not been able to succeed, 1548-1557.

Baxter, Mr. See *Travelling Expenses.*

Beer Houses. See *Bribery*, II. 1.

Bell-ringing. Witness is connected with the bell-ringers; the bells were rung on the night of the election, *Partridge* 3248, 3249——Witness did not take any order directly for ringing; two of the ringers came to him, and told him there was an order; upon this, some of them went and rung, *ib.* 3250-3254——The money to pay the ringers was taken at

Report, 1857—*continued.*

Bell-ringing—continued.

at Mr. James William Clark's; no particular reason was assigned why it was paid there, *Partridge* 3255-3272——Witness took 5*l.*, and divided it into eighteen shares, *ib.* 3262——The bells have always been rung on the occasion of elections, *ib.* 3273-3280.

Witness never authorised Clark to pay any money on his account; does not know that he paid the bell-ringers, *Hardcastle* 4018-4022——Evidence relative to the circumstance under which the money paid to the bell-ringers passed through James William Clark's hands, *Collins* 4289-4294. 4437-4440. 4524.

Bellman, Mrs. Sophia. (Analysis of her Evidence.)—Wife of William Bellman, a voter for Bury, 1126, 1127——Recollects both Mr. Hardcastle and Mr. Oakes canvassing her husband at different times, 1128-1130——Mr. Collins was with Mr. Hardcastle twice when he called, 1131-1144——When Mr. Hardcastle asked witness's husband for his vote, witness said her husband was not particular which way he voted, but they wanted to make something of it, as they were in difficulties; her husband did not exactly promise his vote, 1145-1160——When witness made this observation, Mr. Hardcastle smiled, and said he was merely canvassing; that was all, 1150——Witness may have made this same observation to both parties, 1148, 1149.

Witness recollects a person of the name of Robinson coming to her husband; Mr. Robinson came in, and looked at the bread, and talked to her husband about it, 1161-1173——Witness's husband went afterwards with Mr. Robinson over to the King's Head to have a glass with him, and he brought witness home a little rum for her tea, 1174-1182, 1226-1228——Witness did not hear them say anything about the election, 1183-1186——John Holden, Robert Last, and Ranson went up to vote with witness's husband, 1187, 1188. 1224, 1225——Holden was a friend of witness's husband, and had lent him 10*l.* some years ago, which had been repaid; Holden did not say anything to her husband about his vote, 1189-1202——Mr. Collins called once by himself to canvass witness's husband, and witness told him they wanted to make something of it; observation made by Mr. Collins, "Do you get it; do not you stand for promise," 1203-1223. 1232——Witness said the same thing to Oakes's party about wanting to make something for the vote, 1229-1231.

Bellman, William. (Analysis of his Evidence.)—Voter at Bury; voted at the last election for Mr. Hardcastle and Lord Jermyn, 1233, 1234——Recollects being canvassed by Mr. Hardcastle a few days before the election; Mr. Collins and Mr. Le Grice were with him, 1235-1242——Witness's wife was present at the time; witness promised Mr. Hardcastle his vote, and witness's wife spoke to Mr. Hardcastle afterwards, but witness does not know what she said to him, 1243-1251——Witness believes she said, "We was in difficulties, and hoped Mr. Hardcastle would think of her;" reply of Mr. Hardcastle, that "he was canvassing, and could have nothing to do with it now," 1252. 1363-1366——Mr. Collins called after this, and witness also promised him that he should vote for Mr. Hardcastle; this was all that passed, 1253-1266.

Witness recollects Mr. Robinson his landlord, coming to his house the day before the election; went with him to the King's Head, and had something to drink; and he also gave witness a little rum to take home to his wife for her tea, 1267-1278——Witness saw John Holden about half an hour before he voted; there was a party of them of about seven or eight, who had something to drink at the Marquis of Cornwallis; they all paid for what they had, 1279-1287.

Reference to an observation made by Holden that he had been a friend to witness once, and would be again, if he wanted 5*l.*; 1288-1301. 1393-1398. 1408, 1409——Witness had borrowed 10*l.* about six years ago, but had repaid it some time since, 1288-1301——Witness does not know whether the observation about the 5*l.* was made before or after Holden asked him about his vote, 1292-1294——Witness knows Robert Last; saw him on the morning of the election, and Last showed him what he thought was a 10*l.* note, and witness thought he had got it for his vote, but found out afterwards that Last was joking, and that it was only a flash note, 1302-1315. 1342. 1399-1407.

After polling, witness went with Last to the Fleece public-house; witness did not ask Last for anything, 1316-1325——Witness asked Last if he had got anything for his vote, and he said "No," 1331-1344——Witness's landlord, Mr. Frederick Clark, never asked witness for his vote, 1345-1349——How far witness has had any conversation with Mr. Collins about the evidence he could give before this Committee, 1350-1360——Witness has stated to Mr. Collins that he never had nothing, and he did not know what he was going to be pulled up for, 1356. 1360——Evidence as to a Mr. Buckenham, a butcher, and a supporter of Mr. Oakes, having asked witness how much he should want if he gave his vote, 1367-1377.

[Second Examination.]—Witness did not know Henry James till yesterday; never saw him before, 1428-1430——Witness never told any person that he did not know at Bury that he would not vote unless he had 20*l.*; said to Mr. Buckenham that he should like twenty, but did not say pounds; had heard that people had had money at former elections, 1431-1439——Mr. Oakes canvassed witness, and also tailor Clark, John Clark, canvassed him for Mr. Oakes, 1440-1444.

Report, 1857—*continued.*

Bellman, Mr. See *Bribery*, II. 2.

Bill Posters. See *Messengers.*

Braybrooke, Edward. (Analysis of his Evidence.)—Was one of the messengers on Mr. Hardcastle's side at the last election; got 10*s.*; was paid by Mr. Robert Last, Mr. Le Grice's clerk, 1564–1569——In consequence of a message he received, witness went, about eight or nine days before the election, to the Woolpack, to meet James William Clark, 1570–1574——Clark asked witness which way his father and brother were going to vote, and witness told him they would neither of them vote for Mr. Hardcastle unless his brother was paid the 15*l.* he was promised at the last election; it was promised by Mr. Barnes, 1575–1582.

Evidence as to Clark having told witness that he need not mention it to any one else, but that it would be made all right; they would hear a little bird whisper, 1583–1589——Witness has been listening for the whisper ever since, but it has never become audible; they have never got the 15*l.*, 1584. 1611–1617——Witness was paid on the Monday after the election, along with the other messengers, at the committee-room; parties who were present; Mr. Leech was not there, 1600–1606——Witness cannot say that anyone was present when this conversation with Mr. J. W. Clark about the 15*l.* took place, nor does he exactly recollect what day it took place, 1618–1627.

Witness does not know whether anybody saw him go into the Woolpack to meet Mr. Clark, 1628–1640. 1670–1673——Witness does not think that any one heard Mr. Barnes make him a promise of 15*l.* for his brother's vote at the election of 1852; 1641–1656. 1659–1661——Witness believes that his brother has applied for the money two or three times, 1657, 1658. 1674–1676——Witness got 10*s.* for his two days' employment as a messenger, 1662–1699.

Braybrooke, Joseph. (Analysis of his Evidence.)—A voter; lives at Bury St. Edmund's, 1677, 1678——Voted at the last election for Mr. Hardcastle, 1679——Particulars relative to witness having been canvassed by Mr. Hardcastle, and as to witness having told him that he should not think of voting for him till that affair was settled at the last election, 1680–1690. 1723–1728——Ignorance pleaded by Mr. Hardcastle of this affair, and observation made by him that under any circumstances witness was not to promise Mr. Oakes, 1690–1693. 1716. 1723–1728.

Circumstances under which witness overheard Burrows, of the Fox, say to witness's father, who told Burrows he had promised to vote for Mr. Oakes, "Never mind; come to my house in the morning, and take breakfast, and go and vote with the rest of us," 1686. 1695–1703. 1729–1736——Witness, through his brother, had been promised 15*l.* for the 1852 election, and has written to Mr. Barnes several times about it, 1704–1710.

No one was present when Mr. Hardcastle canvassed witness, 1717–1722——Witness has made no secret of the story of the 15*l.*; has spoken to many persons about it; and having heard there was a petition to be presented, went and told Mr. Clay all about it, 1737–1754. 1774, 1775——Witness has talked this matter over several times in public-houses with Henry James, but has never said that he and James would have this election upset between them, 1755–1765. 1776, 1777——On one occasion, when witness asked his brother if he had got the money, he said "No;" witness made the remark, "He supposed he never would get it," 1778–1784.

Braybrooke, Mr. J. See *Bribery*, II. 3.

Bribery:

I. *Generally.*

II. *Cases of Bribery alleged to have taken place:*

1. Disbursement of small Sums of Money supplied by a Person of the Name of Clark, at Beer-shops, &c. kept by Voters.
2. Case of Bellman.
3. Case of Braybrooke.
4. Case of Cullum.
5. Case of Pawsey.
6. Case of Robinson.

III. *Resolutions of the Committee.*

I. *Generally:*

Witness never authorised, either directly or indirectly, one single farthing to be spent at the last election for the purpose either of bribing or treating one single voter, *Hardcastle* 3963, 3964.

BRIBERY—continued.

II. *Cases of Bribery alleged to have taken place:*

1. Disbursement of small Sums of Money supplied by a Person of the Name of Clark, at Beer-shops, &c. kept by Voters:

Evidence on the subject of numerous instances in which James William Clark gave witness money to take parties to drink at different public-houses and beer-shops where the landlords were voters, in order to induce them to vote for Mr. Hardcastle, *James* 76–78. 82 *et seq.*——Case of his having gone with this object to the Cross Keys, kept by a man of the name of Last; spent about 8*s.* there; Last promised his vote; witness took a man of the name of Skates and several other persons with him; this was on the Thursday in the week before the election, *ib.* 82–99. 572–631——Case of witness having received money from James William Clark on the following day to go to a beer-shop, kept by a man of the name of Teakes (a voter), with the same object; this money was given to witness in the shop of a Mr. Clark, a bootmaker, *ib.* 100–125. 632–664——Witness went to the beer-shop with a party, and spent the money in drink; witness asked Teakes for his vote, and he promised it, *ib.* 126–137. 632–664——On the following morning (the Saturday) witness went to James William Clark again, and reported progress; he told witness he was short of cash, and he referred him to Moore, at the Griffin; witness was to go to him on the Monday morning, *ib.* 138–148——On the Tuesday morning witness went to Clark again, and reported progress, *ib.* 149–151.

Evidence as to a second visit paid by witness to Teakes's beershop, when Teakes again promised his vote, *James* 178–188——Evidence as to witness, by direction of Mr. Collins, canvassing a man of the name of Porter, who keeps the British Queen beer-shop; he has a wooden leg; and Mr. Collins told witness he was to go and stir up that timber-legged gentleman, *ib.* 191–207——Reference to a statement made by Porter on witness asking him for his vote, that he owed his brewer 17*l.* 10*s.*, and he also owed a little rent; witness promised he should have the money, although he had no authority for doing so, *ib.* 208–223——On the day before the nomination James William Clark told witness to go to Mr. Burrows, at the Fox, and ask for some money to get up a party at Porter's, with a view to enticing him to vote for Mr. Hardcastle, *ib.* 224–230. 781–812——Burrows referred witness to a man of the name of Bullock, and a party of about 20 was made up, who went to Porter's, and spent about half-a-guinea in drink, *ib.* 231–249——Instructions were given to witness by Mr. Graves to get 13*s.* 6*d.* from Clark to pay various scores left at different beershop-keepers, for fear they should say anything to injure Mr. Hardcastle, *ib.* 380–394.

Witness does not recollect that anyone else was present when James William Clark gave him the 5*s.* to take a party to drink at Last's, at the Cross Keys, but Skate was present with witness when he asked Last for his vote, *James* 572–631——On the occasion of James William Clark's giving witness the money at Clark's, the bootmaker, to go and spend at Teakes's, Mr. William Clark was present, and he made the observation, "What! you have commenced bribery already," *ib.* 632–664——Witness does not believe that on any occasion when he has had conversations with James W. Clark on the subject of the election any single individual has been present and heard them, *ib.* 670–675. 867–870——When witness and Skate went to Porter's they had no money given them to spend at his house; what they spent, they spent out of their own pockets, *ib.* 726–730——Witness went to ask him for his vote; he was paid to go round on purpose to get votes; witness never asked for any money to give to Porter, having promised him the 17*l.* 10*s.* without any authority; witness never took any steps to perform his promise, *ib.* 731–773——Porter had not told witness that he intended to vote for Hardcastle before mention was made of the 17*l.* 10*s.*, *ib.* 774–780.

Witness is a shoemaker, living in Cornhill; knows James William Clark; recollects his coming into witness's shop a few days before the election, and beckoning a man after him, who witness has since learnt was Henry James, *Wm. Clark* 2349–2383——Clark gave James some money, which witness understood to be 8*s.*, and said, "That will make it all right;" they then left witness's shop; no one was in the shop besides witness, *ib.* 2356–2371. 2379–2383. 2393–2403——Witness said in a joke to James William Clark, "What! you have begun bribing already," *ib.* 2361, 2362. 2384–2390. 2395, 2396.

Witness is a voter for Bury; keeps the Bricklayers' Arms beer-house; it was formerly the Marquis' Arms, *Teakes*, 2413–2416——Witness knows Scates and James, *ib.* 2417, 2418——Recollects their coming to his house with a party a few days before the election; they had been in the habit of coming to witness's house with a party of five or six occasionally for three months, *ib.* 2419–2435.

Witness is the timber-legged old gentleman spoken of before this Committee; keeps a beer-shop; believes the name to be the British Queen, *Jas. Porter* 1929, 1930——Voted for Mr. Hardcastle at the last election; never had a vote before, *ib.* 1931–1935——Knows Scates and Henry James by sight; believes they were at the British Queen just before the election; very likely James asked him for his vote; many people asked him, *ib.* 1936–1941. 1963–1979——Witness never told James that he owed his brewer 17*l.* 10*s.*, nor did

Report, 1857—*continued.*

Bribery—continued.

II. *Cases of Bribery alleged to have taken place*—continued.

1. Disbursement of small Sums of Money, &c.—*continued.*

did he owe his brewer any such sum, *Jas. Porter* 1942. 1947. 1992–1996. 2032–2036——Witness did not promise his vote to any one; Mr. Hardcastle canvassed him in company with Mr. Collins, *ib.* 1970–1980.

The night Bullock was at the British Queen he did not pay witness any such sum as 10*s.* 6*d.*; he paid only for what he had, and witness received money from different people who were of the party; they did not all come together, *Jas. Porter* 1982–1991——Does not know what he told James when James asked him about his vote, *ib.* 1997–2024. 2029–2031——At the time they came, just before the election, each party paid for himself, except, perhaps, that Scates paid for James; James seldom paid for much, *Teakes* 2436–2461. 2498–2506. 2548–2563——No one canvassed witness but Mr. Hardcastle and Mr. Collins; Holden never canvassed witness for his vote; Scates and James may have asked witness how he was going to vote, but he never told them; witness went up to the poll with Mr. Holden, *ib.* 2462–2494. 2531–2536.

Witness never told anyone how he was going to vote, except Scates and James, and he only told them the night before the polling day, *Teakes* 2523. 2531–2545. 2547——Witness never told James to go and stir up the old timber-legged gentleman; witness never incited him to meddle with the timber leg, *Collins* 4282–4288——Witness never, either directly or indirectly, authorised either James, Burrows, or Clark to spend any money in the election, *ib.* 4305–4309——Witness never said anything about Porter's vote, nor did he ever hear the expression "the timber-legged gentleman" till he came into this room, *ib.* 4416–4423.

2. Case of Bellman:

Evidence as to witness having canvassed a man of the name of Bellman for his vote, and as to witness having told him that he had 25*l.* for his vote at the election in 1852, although witness never had a vote, *James* 155–177. 676–701——Witness told him this with a view to induce him to vote for Mr. Hardcastle, as the other party was after him, *ib.* 676–701——When witness told James William Clark he had stated this to Bellman, he made no observation about it, *ib.* 702–710——Witness never spoke to Bellman on the subject again, *ib.* 711–715.

Witness is wife of William Bellman, a voter for Bury, *Sophia Bellman* 1126, 1127——Recollects both Mr. Hardcastle and Mr. Oakes canvassing her husband at different times, *ib.* 1128–1130——Mr. Collins was with Mr. Hardcastle twice when he called, *ib.* 1131–1134——When Mr. Hardcastle asked witness's husband for his vote, witness said her husband was not particular which way he voted, but they wanted to make something of it, as they were in difficulties; her husband did not exactly promise his vote, *ib.* 1145–1160.

Witness recollects a person of the name of Robinson coming to her husband; Mr. Robinson came in, and looked at the bread, and talked to her husband about it, *Sophia Bellman* 1161–1173——Witness's husband went afterwards with Mr. Robinson over to the King's Head to have a glass with him, and he brought witness home a little rum for her tea, *ib.* 1174–1182. 1126–1128——Witness did not hear them say anything about the election, *ib.* 1183–1186——Mr. Collins called once by himself to canvass witness's husband, and witness told him they wanted to make something of it; observation made by Mr. Collins, "Do you get it, do not you stand for promise," *ib.* 1203–1223. 1232.

Witness recollects being canvassed by Mr. Hardcastle a few days before the election; Mr. Collins and Mr. Le Grice were with him, *William Bellman* 1235–1242——Witness's wife was present at the time; witness promised Mr. Hardcastle his vote, and witness's wife spoke to Mr. Hardcastle afterwards, but witness does not know what she said to him, *ib.* 1243–1251——Witness believes she said, "We was in difficulties, and hoped Mr. Hardcastle would think of her;" reply of Mr. Hardcastle, that he was canvassing, and could have nothing to do with it now, *ib.* 1252. 1263–1266——Mr. Collins called after that, and witness promised him that he should vote for Mr. Hardcastle; this was all that passed, *ib.* 1253–1266——Witness knows Robert Last; saw him on the morning of the election, and Last showed him what he thought was a 10*l.* note, and witness thought he had got it for his vote, but found out afterwards that Last was joking, and that it was only a flash note, *ib.* 1302–1315. 1342. 1399–1407.

Evidence as to a Mr. Buckenham, a butcher, and a supporter of Mr. Oakes, having asked witness how much he should want if he gave him his vote, *William Bellman* 1367–1377——Witness never told any person that he did not know, at Bury, that he would not vote unless he had 20*l.*; said to Mr. Buckenham that he should like twenty, but did not say pounds; had heard that people had had money at former elections, *ib.* 1431–1439——Witness was present when Bellman was canvassed; on the first occasion he unhesitatingly promised his vote, and nothing was said by Mrs. Bellman as to her husband's being in difficulties, and that he would not vote unless he was paid for it, *Collins* 4314–4321

BRIBERY—continued.

II. *Cases of Bribery alleged to have taken place*—continued.

2. Case of Bellman—*continued.*

4314-4321. 4492-4494——Witness heard Bellman say afterwards that he had been applied to by a person of the name of Buckenham for Mr. Oakes, and something was said about 20*l.* for his vote, *Collins* 4318. 4322-4327. 4492-4494——Witness then advised him not to take any promises, but to have the money first, *ib.* 4318.

3. Case of Braybrooke:

In consequence of a message he received, witness went about eight or nine days before the election to the Woolpack, to meet James W. Clark, *E. Braybrooke* 1570-1574——Clark asked witness which way his father and brother were going to vote, and witness told him they would neither of them vote for Mr. Hardcastle unless his brother was paid 15*l.* he was promised at the last election; it was promised by Mr. Barnes, *ib.* 1575-1582——Evidence as to Clark having told witness that he need not mention it to any one else, but that it would be made all right; they would hear a little bird whisper, *ib.* 1583-1589——Witness has been listening for the whisper ever since, but it has never become audible; they have never got the 15*l.*, *ib.* 1584. 1611-1617——Witness cannot say that any one was present when this conversation with Mr. J. W. Clark about the 15*l.* took place, nor does he exactly recollect what day it took place, *ib.* 1618-1627——Witness does not think that any body heard Mr. Barnes make him a promise of 15*l.* for his brother's vote at the election of 1852, *ib.* 1641 1656. 1659-1661——Witness believes that his brother has applied for the money two or three times, *ib.* 1657, 1658. 1674-1676.

Particulars relative to witness having been canvassed by Mr. Hardcastle, and as to witness having told him that he should not think of voting for him till that affair was settled at the last election, *J. Braybrooke* 1680-1690. 1723-1728——Ignorance pleaded by Mr. Hardcastle of this affair, and observation made by him, that under any circumstances witness was not to promise Mr. Oakes, *ib.* 1690-1693. 1716. 1723-1728——Witness, through his brother, had been promised 15*l.* for the 1852 election, and has written to Mr. Barnes several times about it, *ib.* 1704-1710——Witness has made no secret of the story of the 15*l.*; has spoken to many persons about it, and, having heard there was a petition to be presented, went and told Mr. Clay all about it, *ib.* 1737-1754. 1774-1777.

Witness does not know a person of the name of Braybrooke; the statement that has been made, that in 1852, at the Woolpack, in Bury, witness made an offer to an elector, of the name of Braybrooke, of 15*l.* if he would vote, is false, *Barnes* 3720-3724. 3841-3851——Witness has received a letter from Braybrooke respecting this matter, and asking for money, but has only received one letter, *ib.* 3725-3737. 3852. 3885-3889. 3893-3910. 3915-3918——Braybrooke is the only person that has written to witness to ask for money for a vote, *ib.* 3728. 3739-3741——As regards the election of 1852, witness never, either directly or indirectly, promised to pay a shilling to any person for a vote, *ib.* 3882-3884——The evidence of Braybrooke, that "he told witness he would not vote for him till the affair of the previous election was settled," is a tissue of falsehood from beginning to end, *Hardcastle* 3951-3957.

4. Case of Cullum:

Witness is wife of John Cullum, a voter, *F. Cullum* 2671, 2672——Recollects Mr. Hardcastle calling on two occasions to canvass her husband for his vote; on the first occasion Mr. Le Grice was with him, and on the second Mr. Collins, *ib.* 2673-2682——On neither occasion did her husband promise his vote, *ib.* 2680. 2686, 2687——Evidence as to Mr. Wilson, a baker, having called on witness's husband a short time after Mr. Hardcastle and Mr. Collins had left; witness's husband was not at home, and Mr. Wilson told her if she could get her husband to vote for Mr. Hardcastle, he would give her 10*l.* off the books, and 10*l.* to go on with in the business, *ib.* 2688-2701——Her husband was to go to see Mr. Wilson about eight o'clock, *ib.* 2703-2706——Observation made by Mr. Wilson that he would call for her husband in the morning of the poll, and he could go up quietly in the morning, and come home again, and nobody would know anything about it, *ib.* 2707.

Witness had sent her daughter to Mr. Wilson's for some bread between the time of Mr. Collins leaving and Mr. Wilson's coming to her shop, *F. Cullum* 2709-2715——No one else was present when Mr. Wilson called, *ib.* 2742——Mr. Wilson did not come any more, nor send any message, *ib.* 2759, 2760——Witness is daughter of John and Frances Cullum, *H. Cullum* 2787——Recollects her mother sending her to Mr. Wilson's for some bread a few days before the election; while she was there, Mr. Hardcastle and Mr. Collins came in, *ib.* 2794-2799——Has seen Mr. Wilson twice talking to her father at his house just previously to the election; did not hear what passed, *ib.* 2800-2813. 2828-2840——The police often visit her father's house, and look round, *ib.* 2826, 2827. 2844——Witness recollects her father being taken by the police, *ib.* 2841-2843.

Witness knows Mrs. Frances Cullum; previously to the last election witness had been

BRIBERY—continued.

II. *Cases of Bribery alleged to have taken place*—continued.

4. Case of Cullum—*continued.*

in the habit of supplying her with goods in the way of trade, *Wilson* 3524, 3525——At the time of the election she owed witness some money, and he called upon her for it; but his call had nothing to do with the election, *ib.* 3526–3549——Witness never asked her to get her husband to vote for Mr. Hardcastle, nor ever told her he would give her 10*l.* off the book, and 10*l.* to go on in business with, *ib.* 3532–3548——In speaking about the election with witness, she has said that her husband would not vote without being paid for it; and her husband has told witness he would have some money for his vote, and would pay part of his bill, *ib.* 3532–3540. 3595–3644.

Witness did not see Mrs. Cullum at all during the election week, nor did Mr. Hardcastle canvass witness during that week; it was at least three weeks before the election that he was canvassed by him and Mr. Collins, *Wilson* 3559–3565. 3570. 3579–3594. 3670–3685——Witness does not recollect Ellen Cullum coming to his shop during the election week, *ib.* 3566–3569. 3571–3578. 3645–3650——Witness has left off supplying the Cullums with bread within the last month, as they do not keep their accounts paid up, *ib.* 3651–3655. 3664–3669. 3686–3689——Evidence as to John Cullum having got into trouble for assaulting the police; this was before witness left off supplying them, *ib.* 3689–3702——Witness remembers canvassing Mr. Samuel Wilson about three weeks before the election, *Hardcastle* 4153–4156——Cullum's house has a very bad name, a very bad repute, *Le Grice* 4169, 4170——Witness would say that they canvassed a man by the name of Wilson about a fortnight before the election, *ib.* 4241, 4242.

5. Case of Pawsey:

Witness was engaged as charwoman, at Mr. Hardcastle's committee-room, for eight days; Mr. Collins engaged witness; Mr. Leech paid her; witness sent in a bill for 35*s.*, and Mr. Leech paid her 30*s.*; copy of this bill produced, *F. Pawsey* 2091–2102. 2156——Witness went several times for the money; Mr. Leech said the charge was too high, and he must see Mr. Collins about it; witness has never applied for the other 5*s.*; *ib.* 2103–2122——Witness's husband is a voter, *ib.* 2123——Witness has not received a farthing besides the 30*s.*, and she spent this on her children, and did not give any of it to her husband; told her husband she had got it, *ib.* 2165–2180.

Witness is a carpenter; voted for Mr. Hardcastle at the last election; never had a vote before, *R. Pawsey* 2285–2287. 2289——Witness was canvassed by Mr. Oakes, Mr. Hardcastle, and Lord Jermyn; did not promise either party; witness only made up his mind half an hour before he went up to vote, *ib.* 2290–2304——Witness's wife received 30*s.* for her charing at the committee-rooms; witness never had any of it, *ib.* 2309–2311——Witness had no conversation with anyone about his vote; even his wife did not know how he was going to vote, *ib.* 2312–2325. 2346–2348.

Noel Stebbing asked witness to vote for Mr. Oakes, but witness never promised him; nor did he tell him he had had 1*l.* from Mr. Hardcastle's party, *R. Pawsey* 2326–2344——Witness knows Robert Pawsey quite well; recollects meeting him at the Fleece on the Monday after the election, *Stebbing* 2598–2601——Pawsey told witness he had a sovereign for himself; does not recollect that anything was said about what Pawsey's wife got for cleaning the committee-rooms, *ib.* 2602–2604. 2613–2617——Witness never told Stebbings, in answer to any question about what his wife had, that he "did not know what she got; all he knew was, that he got a sovereign for himself," *ib.* 2657–2659.

6. Case of Robinson:

Witness is wife of John Robinson; lives at Cemetery-road, Bury; is sister of the wife of Henry James, *S. Robinson* 1785–1787——Recollects her husband being canvassed by Mr. Hardcastle about a week before the election; Mr. Le Grice and Mr. Downs were with him, *ib.* 1788–1793——Witness's sister (Mrs. James) had been lying on her death-bed seven months, and, as Mr. Downs knew her, witness may have told him she was very bad, but said nothing about her to Mr. Hardcastle *ib.* 1794–1805——Witness's husband gave witness a sovereign to give to her dying sister, but witness does not know, nor has she any idea, where he got it, *ib.* 1817–1830——Supposes some one gave it to him on account of her sister's affliction; James had pawned the bed from under her, and she was lying on straw, *ib.* 1818–1827.

Witness was canvassed two or three times by Mr. Hardcastle; the first time Mr. Le Grice and Mr. Collins were with him; witness would not promise him, *J. Robinson* 1857–1869——On the next occasion of his calling Mr. Downs was with him, as well as Mr. Collins, and witness would not promise; but Mr. Hardcastle said, "Oh, I shall put it down as a promise," *ib.* 1870–1875——Mr. Hardcastle called a third time with Mr. Collins, and witness believes his wife told Mr. Collins something about her sister (Mrs. James) being ill, but witness does not know what it was, *ib.* 1876–1887——Shortly after this, witness gave his wife a sovereign to give to Mrs. James; he told her he got it from James W. Clark, the hall-keeper; witness took it as an act of charity, and not as a bribe; Clark said it came from Mr. Hardcastle, *ib.* 1888–1908. 1921–1928——Witness

was

Report, 1857—*continued.*

Bribery—continued.

II. *Cases of Bribery alleged to have taken place*—continued.

6. Case of Robinson—*continued.*

was employed four days as a messenger and received 15 *s.*; nature of his duties, *J. Robinson* 1910, 1911.

With reference to a sum of 20 *s.* which witness gave to a Mrs. Robinson for her sister Mrs. James, who was dying and in great distress, it was a pure act of charity, and in no way connected with the election, *Hardcastle* 3942–3946. 4021–4068. 4144–4152——The idea of obtaining a vote for it never entered witness's thoughts, *ib.* 3946. 4027–4068. 4144–4152——Explanation of the circumstance under which Mr. Hardcastle gave the sum of 20 *s.* to Mr. Robinson's sister-in-law, Mrs. James; it was entirely an act of charity, *Collins* 4273–4281. 4304. 4335–4340.

III. *Resolutions of the Committee:*

Resolution of the Committee that James William Clark undertook, through Edward Braybrooke, brother of Joseph Braybrooke, to pay the sum of 15 *l.* to the said Joseph Braybrooke, which sum was alleged to have been promised at a former election, *Rep. p.* iii——Resolution of the Committee that James W. Clark is proved to have supplied a person named Henry James with small sums of money to be spent at beer-shops and public-houses with the view of influencing the votes of the keepers of those houses, *Rep. p.* iii.

See also *Clark, Mr. J. W.* *Treating.* *Undue Influence.*

"*British Queen*" *Beer Shop.* See *Bribery*, II. 1. *Treating.*

Buckenham, Mr. See *Bribery*, II. 3.

Burrows, Mr. See *Treating.*

C.

Canvassers. Witness has seen Mr. Hardcastle and Mr. James William Clark together; grounds on which witness formed the opinion that they were canvassing together, *Cattan* 2847–2860——Witness has seen Mr. Hardcastle, Mr. Le Grice, and Mr. Collins together; grounds on which witness would form the opinion that they were canvassing together, *Armstrong* 3041–3059——Witness was canvassed by Mr. Hardcastle; Mr. Le Grice and Mr. Collins were with him, *Whitehead* 3289–3298——Witness believes that he personally canvassed nearly every voter, *Hardcastle* 3725, 3726——Witness began his canvass about a month before the election, *ib.* 3966, 3967——Witness canvassed with Mr. Hardcastle, *Le Grice* 4168. 4240——Witness first began canvassing with Mr. Hardcastle about a fortnight before the dissolution of Parliament, *ib.* 4240——Witness believes that he canvassed every day with Mr. Hardcastle, with one exception, *Collins* 4272.——*See* also *Clark, Mr. J. W.* *Le Grice*, Mr.

Cattan, Charles. (Analysis of his Evidence.)—Sexton of St. Mary's parish; lives at Bury, 2845, 2846——Has seen Mr. Hardcastle and Mr. James William Clark together; grounds on which witness formed the opinion that they were canvassing together, 2847–2860——Examination on the list of messengers, check clerks, committee clerks, &c. employed on the part of Mr. Hardcastle, showing how far they were voters or relations of voters, 2861–2984. 2997–3017——Explanation as to the circumstances under which witness was paid 10 *s.* 6 *d.* for his supposed services, although he did nothing; he voted for Mr. Oakes and Lord Jermyn, 2985–2996——Examination upon Mr. Oake's list of messengers, showing who were voters and those who were not, 3018–3036——Three messengers were employed for Lord Jermyn and eleven for Mr. Oakes, 3037–3040.

Charwomen. Witness goes out as a charwoman; gets different rates of pay, sometimes as much as 5 *s.* a day, when she finds her own food, *F. Pawsey* 2058–2062——Cannot name any other person that has employed her as charwoman at 5 *s.* a day, but Mr. Clark, and this was two years ago, *ib.* 2073–2083. 2267–2270——Witness's usual pay is 3 *s.* 6 *d.* a day without food, *ib.* 2084–2090——The rooms that were taken for the purposes of the election were in an empty house, and were in a filthy state, and quite required the services of a charwoman, *ib.* 2259–2266——Nothing was said before the election as to what witness was to have for her services; she sent in her bill in the usual way, *ib.* 2271–2284.

Check Clerks. See *Messengers.*

Clark, Mr. Frederick. See *Undue Influence.*

Report, 1857—*continued.*

Clark, Mr. James William. Witness never saw James William Clark at the time of the election, and never spoke to him about the election, *Mrs. S. Robinson* 1806–1816——Witness never spoke to James William Clark about the election, nor ever told him how he was going to vote, *Teakes* 2507–2530. 2546, 2547——Mr. James William Clark was never authorised to take any step whatever, nor to pay one single shilling on witness's account, *Hardcastle* 3931–3933——Witness does not recollect his ever having canvassed a single vote with Mr. J. W. Clark, *ib.* 3932. 4008–4017——Witness denies that James William Clark ever had any money of his in his hands, *ib.* 4079–4083.

Witness is aware that James William Clark claims to be put on the register as a voter, and has heard that his case has been argued before the Court of Common Pleas; witness does not know who paid the costs, *Hardcastle* 4114–4127——James William Clark was in no shape or way recognised as an agent for Mr. Hardcastle, *Collins* 4310–4313. 4328–4330——James William Clark took an active part in the election, but it was not by witness's orders, nor does he know by whose orders it was, *ib.* 4224–4236. 4441–4444——All that James William Clark told witness as to his having spent any money was, that he had authorised James to go and borrow 5*s.* of Mrs. Norman of the Griffin Tap, *ib.* 4480–4485. 4508–4512——It was a long time after the election when he mentioned this, *ib.* 4483, 4484. 4508–4512.

See also *Bell-ringing. Bribery*, II, 1. 3. 6. *Canvassers. Committees. Messengers. Travelling Expenses.*

Clark, John. (Analysis of his Evidence.)—Resides in Crown-street; is unfortunately a tailor; witness's house is exactly opposite what was used as Mr. Hardcastle's committee-room, 3420——It was either the Monday or Tuesday before the election witness saw the placards put up in the window announcing Mr. Hardcastle's committee-room, 3421, 3422——Parties whom witness has seen go in and out of these rooms, 3423–3444. 3484–3521.

Clark, William. (Analysis of his Evidence.)—Tailor, residing at the time of the election in Wells-street, Bury St. Edmund's; was a voter, voted for Mr. Hardcastle; was the first person who polled, 984–988——A man of the name of Skates, commonly called Swanks, a tailor, went up to the poll with witness; witness does not remember that Henry James went with them, 989–992——The night before witness polled he slept with Swanks at the Griffin; evidence as to his having met Swanks in the course of the afternoon, and their going together to the Griffin, 993–1007——Witness has seen Henry James, but knows him too well to wish to have much acquaintance with him, 1008–1013.

Witness having met with Swanks, put himself under his care; has often put himself under his care; went to the Griffin without any express understanding where they were going to; had only a glass of ale to drink there all the afternoon, 1014–1028. 1034–1041——Witness does not remember seeing Henry James there, but he was rather drunk, 1029–1033. 1100–1102——Witness had no particular reason for sleeping that night at the Griffin, any more than it was his fancy to do so; he was out on the spree, 1042–1052——Witness had nothing to drink on the morning of the polling but a little purl; had no breakfast, 1053–1067——Witness paid for his bed at the Griffin, 1071–1077——Swanks paid for the beer they had to drink the previous day, 1078–1081.

Witness was never canvassed by any one for his vote; might have told Swanks how he was going to vote, 1082–1092——Witness had promised Mr. Hardcastle his vote nine months before the election; had seen him on the platform at the railway station, and went up to him, and told him he should vote for him whenever he put up, 1092–1099. 1103–1109——Witness had been canvassed by the Tory party, and they had threatened to drug him, 1110–1117. 1123–1125——Witness has been constantly in the habit of going to the Griffin with Swanks, 1110–1112. 1118–1120——James never paid for a drop of drink for witness in his life, 1121, 1122.

Clark, Mr. William. See *Detention of Voters. Drunkenness.*

Clark, William. (Analysis of his Evidence.)—Shoemaker, living in Cornhill; knows James William Clark; recollects his coming into witness's shop a few days before the election, and beckoning a man after him, who witness has since learnt was Henry James, 2349–2383——Clark gave James some money, which witness understood to be 8*s.*, and said, "That will make it right;" they then left witness's shop; no one was in the shop besides witness, 2356–2371. 2379–2383. 2393–2403——Witness said in joke to James William Clark, "What, you have begun bribing already," 2361, 2362. 2384–2390. 2395, 2396.

Clark, Mr. William. Evidence as to William Clark, a tailor, having promised witnes, his vote nine months before the election; witness had no doubt whatever he would fulfil that promise, *Hardcastle* 3940, 3941. 4023–4026.

Clay, Mr. See *Evidence.*

Collins,

Report, 1857—*continued.*

Collins, Thomas. (Analysis of his Evidence.)—Solicitor, residing and practising at Bury; is also registrar of the County Court, 4261, 4262——Acted as Mr. Hardcastle's agent in the management of the last election, 4263. 4266——No committee was formed for the purpose of conducting the election; rooms were taken for the purpose of giving people to understand that any communication respecting the election might be made there; the only placard was, "Mr. Hardcastle's Committee-rooms," 4264-4266. 4270, 4271——Witness believes he canvassed every day with Mr. Hardcastle, with one exception, 4272——Explanation of the circumstances under which Mr. Hardcastle gave the sum of 20 *s.* to Mr. Robinson's sister-in-law, Mrs. James; it was entirely an act of charity, 4273-4281. 4304. 4335-4340.

Witness never told James to go and stir up the old timber-legged gentleman; witness never incited him to meddle with the timber-leg, 4282-4288——Evidence relative to the circumstances under which the money paid to the bell-ringers passed through James William Clark's hands, 4289-4294. 4437-4440. 4524——The messengers were appointed without any consideration as to whether they were voters or not, and witness considers that the number appointed, namely, thirty-seven, was no more than was necessary; it included door-keepers, bill-posters, and persons of that description, 4296-4303. 4341-4377. 4390-4411. 4413-4415. 4486, 4487. 4513-4523——The allowance to them was 5*s.* a day; in former elections it used to be 7*s.* 6*d.*; 4298, 4299. 4412. 4488. 4513-4519.

Witness never, either directly or indirectly, authorised either James, Burrows, or Clark to spend any money in the election, 4305-4309——Witness repudiated the band altogether, 4310——Told Robert Barton, the bandmaster, who is an officer of witness's court, to have nothing to do with it, 4310——James William Clark was in no shape or way recognised as an agent for Mr. Hardcastle, 4310-4313. 4328-4330——Witness was present when Bellman was canvassed; on the first occasion he unhesitatingly promised his vote, and nothing was said by Mrs. Bellman as to her husband being in difficulties, and that he would not vote unless he was paid for it, 4314-4321. 4492-4494.

Witness heard Bellman say afterwards that he had been applied to by a person of the name of Buckenham, for Mr. Oakes, and something was said about 20*l.* for his vote, 4318. 4322-4327. 4492-4494——Witness then advised him not to take any promises, but to have the money first, 4318——Witness has examined nearly every witness served with a Speaker's warrant, and has taken the evidence of most of them down in writing, 4332-4334.

The placard put up at the rooms used for the purposes of the election, "Hardcastle's Committee-rooms," was put up by witness's directions, 4378——It was done for the purpose of informing the people of Bury that Mr. Hardcastle's friends might be communicated with there, 4379-4389——Witness never said anything about Porter's vote, nor did he ever hear the expression "the timber-legged gentleman" till he came into this room, 4416-4423——James William Clark took an active part in the election, but it was not by witness's orders, nor does he know by whose orders it was, 4424-4436. 4441-4444.

Witness had no communication whatever with a man of the name of Frederick Baxter, who came from London to vote, 4445-4448. 4489-4491. 4495-4502——Witness had heard he was coming, and saw him at the Six Bells, but did not interfere about his vote; in fact, the election was virtually over when witness saw him, 4449-4479. 4489-4491——All that James William Clark told witness as to his having spent any money, was, that he had authorised James to go and borrow 5*s.* of Mrs. Norman of the Griffin Tap, 4480-4485. 4508-4512——It was a long time after the election when he mentioned this, 4483, 4484. 4508-4512.

Parties who were present when the messengers were paid, 4503-4507——For the last five years witness has paid great attention, on the part of Mr. Hardcastle, to the revision of the list of voters, 4525-4528.

Collins, Mr. See *Agents. Bands. Bribery. Canvassers. Committee-rooms. Committees. Evidence. Messengers. Travelling Expenses. Treating.*

Committee-rooms. Mr. Hardcastle's committee-rooms were in an unoccupied house in Chequers-square; witness has seen placards in the windows, "Hardcastle's Committee-rooms;" has seen Mr. Hardcastle there, *James* 250-259——Witness has also seen Mr. Le Grice, Mr. Collins, and Mr. Braddock, and also Robert Burrows, the landlord of the Fox, there, *ib.* 260-266——Witness resides in Crown-street; is unfortunately a tailor; witness's house is exactly opposite what was used as Mr. Hardcastle's committee-room, *John Clark* 3420——It was either the Monday or Tuesday before the election witness saw the placards put up in the window, announcing "Mr. Hardcastle's Committee-room," *ib.* 3421, 3422——Parties whom witness has seen go in and out of these rooms, *ib.* 3423-3444. 3484-3521.

Witness does not know who hired the place where the so-called committee-room was; witness was in and out occasionally; other parties who attended there, *Hardcastle* 3971-4000——Witness has of course seen the placard up at the rooms used for the purposes of the election, "Mr. Hardcastle's Committee-room," *ib.* 4128——Very few of the persons who went to this room had anything to do with the conduct of the election; they were

Report, 1857—*continued.*

Committee-rooms—continued.

mostly electors, *Hardcastle* 4129-4136——Rooms were hired for the purposes of the election, and one or two clerks were employed; a placard was put up at this room, "Mr. Hardcastle's committee sit here daily," *Le Grice* 4171-4199. 4237-4239——The placard put up at the rooms used for the purposes of the election, "Hardcastle's Committee-rooms," was put up by witness's directions, *Collins* 4378——It was done for the purpose of informing the people of Bury that Mr. Hardcastle's friends might be communicated with there, *ib.* 4379-4389.

Witness was about the committee-room a good deal during the four days he was employed as messenger; Mr. Last, Mr. John Holden, and several others came there, *J. Robinson* 1839-1853. 1912-1920——James William Clark was there every day, *ib.* 1848, 1849——Witness has never seen Mr. Leech there, *ib.* 1852——Besides Mr. Collins and Mr. Hardcastle, witness has seen Mr. Last, Mr. Graves, and Mr. Le Grice; has never seen Mr. Holden, Mr. Burrows, nor Mr. James William Clark there, *F. Pawsey* 2188-2212. 2224-2234.

The gentlemen who attended the room were sometimes talking and sometimes writing; none of them ever spoke to witness about election matters, *F. Pawsey* 2213-2223. 2235-2258——At the late election no committee whatever was formed; an empty house was taken for the purpose of having some place for conducting the business of the election, *Hardcastle* 3922-3924——There was no committee formed for Mr. Hardcastle's election, *Le Grice* 4146. 4237-4239——No committee was formed for the purpose of conducting the election; rooms were taken for the purpose of giving people to understand that any communication respecting the election might be made there; the only placard was, "Mr. Hardcastle's Committee-rooms," *Collins* 4264-4266. 4270, 4271.

Cross Keys Beershop. See *Bribery*, II. 2.

Cullum, Frances. (Analysis of her Evidence).—Wife of John Cullum, a voter, 2671, 2672——Recollects Mr. Hardcastle calling on two occasions to canvass her husband for his vote; on the first occasion Mr. Le Grice was with him, and on the second Mr. Collins, 2673-2682——On neither occasion did her husband promise his vote, 2680. 2686, 2687——Evidence as to Mr. Wilson, a baker, having called on witness's husband a short time after Mr. Hardcastle and Mr. Collins had left; witness's husband was not at home, and Mr. Wilson told her if she could get her husband to vote for Mr. Hardcastle he would give her 10*l.* off the book, and 10*l.* to go on with in the business, 2688-2701——Reply of witness that she would tell her husband when he came home, but she did not know anything about it, 2701.

Her husband was to go to see Mr. Wilson about eight o'clock, 2703-2706——Further observation made by Mr. Wilson that he would call for her husband in the morning of the poll, and he could go up quietly in the morning and come home again, and nobody would know anything about it, 2707——Witness told her husband this when he came home, and he said he did not want 20*l.* so bad as to go the way which his inclination did not lead him, 2708. 2755-2758——Witness had sent her daughter to Mr. Wilson's for some bread between the time of Mr. Collins's leaving and Mr. Wilson's coming to her shop, 2709-2715.

Witness's husband is now in gaol, undergoing a sentence of six months' imprisonment, with hard labour, for assaulting the police; particulars attending this case, 2716-2726. 2744-2754——Witness's house has never been indicted as a house of ill-fame; it is a Tom and Jerry and grocer's shop, but nothing worse, 2727-2741.

No one else was present when Mr. Wilson called, 2742——Witness's husband voted for Mr. Oakes and Lord Jermyn, 2743. 2761——Mr. Wilson did not come any more, nor send any message, 2759, 2760——Witness mentioned the circumstance of Mr. Wilson having made this offer, because she thought he behaved shabby to her after her husband got into trouble, he having refused to let her have any more bread, because there was a pound on the books, 2763-2782——Witness mentioned it to Mr. Boyden, who lives next door to witness, 2770-2775——Witness's husband has always voted for the Blues, 2783-2786.

Cullum, Helen. (Analysis of her Evidence.)—Daughter of Francis Cullum, 2787——Knows Mr. Hardcastle and Mr. Collins when she sees them; recollects their calling at her father's house three times; her mother saw them, 2788-2793——Recollects her mother sending her to Mr. Wilson's for some bread a few days before the election; while she was there Mr. Hardcastle and Mr. Collins came in, 2794-2799——Has seen Mr. Wilson twice talking to her father at his house just previously to the election; did not hear what passed, 2800-2813. 2828-2840——Evidence as to the lodging accommodation in her father's house, 2814-2825——The police often visit the house and look round, 2826, 2827. 2844——Recollects her father being taken by the police, 2841-2843.

Cullum, Mr. John. See *Bribery*, II. 4. *Witnesses.*

D.

Detention of Voters. Witness knows a man of the name of William Clark, a tailor; he is a terrible fellow for his drink, *James* 267–272——Saw him on the evening of the nomination day tipsy, as usual, in the street; Skates was with him, *ib.* 273–277——Evidence as to witness and Skates having taken William Clark to the Griffin, having made him helplessly drunk, keeping him there all night, and taking him to the poll the first thing in the morning, *ib.* 278–314. 813–849.

Witness is a tailor, residing at the time of the election in Wells-street, Bury St. Edmunds; was a voter, voted for Mr. Hardcastle; was the first person who polled, *W. Clark* 984–988——A man of the name of Skates, commonly called Swanks, a tailor, went up to the poll with witness; witness does not remember that Henry James went up with them, *ib.* 989–992——The night before witness polled, he slept with Swanks at the Griffin; evidence as to his having met Swanks in the course of the afternoon, and of their going together to the Griffin, *ib.* 993–1007. 1014–1028. 1034–1041——Witness does not remember seeing Henry James there, but he was rather drunk, *ib.* 1029–1033. 1100–1102——Witness had no particular reason for sleeping that night at the Griffin, any more than it was his fancy to do so; he was out on the spree, *ib.* 1042–1052——Witness had nothing to drink on the morning of the polling but a little purl; had no breakfast, *ib.* 1053–1067——Witness paid for his bed at the Griffin, *ib.* 1071–1077.

Witness had promised Mr. Hardcastle his vote nine months before the election; had seen him on the platform at the railway station, and went up to him and told him he should vote for him whenever he put up, *W. Clark* 1092–1099. 1103–1109——The statement made by Henry James that he was in the committee-rooms, and reported that there was a voter of the name of Clark who had promised Mr. Hardcastle, up at the Griffin, drunk, and ought to be taken care of for the night, and that witness said, "he did not know what was to be done, that 6*d.* would turn Mr. Hardcastle out," is incorrect, *Le Grice* 4243. 4245–4267——Resolution of the Committee, that a voter named William Clark was detained by William Scates and Henry James in a drunken state during the night previous to the election, and taken up by them to the poll in that state, *Rep. p.* iii.

Doorkeepers. See *Messengers.*

Drunkenness. Witness was in the polling-booth on the day of election nearly the whole of the day, *Salmon* 7, 8——Is acquainted with most of the electors in Bury, *ib.* 9——Believes that many of the persons who came to vote for Mr. Hardcastle were intoxicated; would name William Clark, a tailor, and also a man named Porter, *ib.* 10–19——Witness would not say that some of those who voted for Mr. Oakes were not in the same state, *ib.* 20——Most of the persons who polled for Mr. Hardcastle, that witness fancied were intoxicated, came from the direction of the Fox; Burrows, the landlord, took an active part with them, *ib.* 39–53.

E.

Election of 1852. See *Bribery*, II. 3. *Expenses of the Election.*

Election Agent. Mr. Leech was appointed election agent for the purpose of paying expenses, *Hardcastle* 3928. 4001–4004.

Election Auditor. Witness is town clerk and election auditor for the borough of Bury St. Edmunds, *Salmon* 3.

Evidence. Witness thinks it was within a week after the election that he first made a statement of the matters on which he has given evidence before this Committee; will swear that it was within a month; mentioned it to Mr. Clay, a wine merchant of Bury, *James* 399–414——Witness knows Mr. Barnes, of Colchester; witness never told him that he would go out of the way and not obey the Speaker's warrant if Mr. Barnes would only pay him for doing so, *ib.* 440–446. 496. 498–515——Witness has been at Writtle, where Mr. Hardcastle lives; has friends living there, *ib.* 447. 952–961——Evidence relative to witness's having gone to see these friends on Sunday the 21st June, and having put himself purposely in the way so as to meet Mr. Hardcastle coming from church, *ib.* 448–457. 527, 528——When witness saw Mr. Hardcastle he told him that he meant to give evidence that would unseat him, and on Mr. Hardcastle asking witness what he knew about the election, he told him he should not tell him, *ib.* 458–482. 490–497——Witness did not ask for any money, but Mr. Hardcastle said he dared not give him any, *ib.* 458–464. 490–492.

Witness did not tell Mr. Hardcastle that he was willing to go out of the country if he was paid for doing so, nor anything to that effect, *James* 465–469. 470. 477——Mr. Hardcastle did not tell witness that he would have nothing to do with him, *ib.* 470–482——

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Evidence—continued.

482——What made witness go to Mr. Clay to give evidence was, because he considered the other party had behaved dirty to him; this was after he got the 5*l.*, *James* 897–905. 977–983——Witness had no motive for doing it during the time the election was going on, *ib.* 906–913——Mr. Clay had been very kind to witness's wife during her illness, and it was in consequence of this that witness went to him and told him what had occurred during the election, *ib.* 944–951. 977–983.

How far witness has had any conversation with Mr. Collins about the evidence he could give before the Committee, *W. Bellman* 1350–1360——Witness has stated to Mr. Collins that he never had nothing, and he did not know what he was going to be pulled up for, *ib.* 1356. 1360——Witness was examined by Mr. Collins on the subject of this petition a few days ago, but her statement was not taken down in writing, *F. Pawsey* 2063–2072——Witness mentioned the circumstance of Mr. Wilson having made an offer to her for her husband's vote, because she thought he behaved shabby to her after her husband got into trouble; he having refused to let her have any more bread because there was a pound on the books, *F. Cullum* 2763–2782.

Witness knows a person of the name of James, who has been examined here as a witness, *Barnes* 3713——Witness remembers James coming to his office in the month of June last, and, after having stated he was in a state of destitution, referring to his having been served with a Speaker's warrant, and saying that if he had the means he would get out of the way, *ib.* 3714–3719. 3870–3879. 3911–3914——Witness gave him 2*s.* on account of his having spoken of his destitution, and before he had said anything about going away, *ib.* 3714–3719——Witness, in consequence of a communication from Mr. Collins to the effect that James had been served with a Speaker's warrant, called on James with a view to ascertain whether such was the fact, *ib.* 3766–3840.

On finding James was not at home witness left word for him to call at his office, and it was on the occasion of James calling there after this that the conversation alluded to took place, *Barnes* 3766–3840——From what witness has since heard, he has no doubt James would have come to him, even if he had previously not called on James, *ib.* 3866. 3870–3879——Witness, in his interview with James, never told him that he would do something for him towards his getting out of the way, *ib.* 3890–3892. 3911–3914——Evidence in detail relative to the circumstance of Henry James having come down to see witness at Writtle on Sunday the 21st June, and telling witness that he knew enough to unseat him, *Hardcastle* 3958–3962. 4069 *et seq.* 4088–4103. 4137——Witness has examined nearly every witness served with a Speaker's warrant, and has taken the evidence of most of them down in writing, *Collins* 4332–4334——Resolution of the Committee that the evidence generally is most unsatisfactory, *Rep. p.* iii.

See also *Witnesses.*

Expenses of the Election. Witness received and produces two accounts of the election expenses on behalf of Mr. Hardcastle, *Salmon* 4——One headed, "Account current of the expenses necessary to be paid in ready money, and paid by Charles Denton Leech, the agent for legal expenses of Joseph Alfred Hardcastle, Esq.," delivered to witness 6th April, *ib.* 4——The other, headed, "Schedule of claims upon Joseph Alfred Hardcastle, Esq., in respect of his election as one of the Representatives in Parliament for the borough of Bury St. Edmunds," *ib.* 5——Witness believes the first account to be in the handwriting of Robert Mason Last; the second is in the handwriting of Mr. Leech, *ib.* 6——Witness was at the Woolpack at Bury, at the election of 1852, acting for Mr. Hardcastle, and took an active part in his election; has no idea of the expenses of the election at that time, *Barnes* 3737, 3738. 3742–3758——Witness's impression is that the election in 1852 did not cost Mr. Hardcastle more than 250*l.*, *ib.* 3759–3763. 3853–3860.——*See* also *Accounts.*

Expenses of Witnesses. See *Witnessess.*

F.

Fox, The, Public House. See *Bribery*, II. 1. *Drunkenness. Treating.*

G.

Graves, Mr. See *Bribery. Committees.*

H.

Hardcastle, Joseph Alfred (a Member of the House).—(Analysis of his Evidence.)—Is the Sitting Member for Bury, 3919——Many of witness's forefathers lived in the town, and he has relatives there now; was educated there, 3920, 3921——At the late election no committee whatever was formed; an empty house was taken for the purpose of having some place to conduct the business of the election, 3922–3924——Witness believes that he

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Hardcastle, Joseph Alfred, M. P. (Analysis of his Evidence)—*continued.*

he personally canvassed nearly every voter, 3925, 3926——Mr. Collins acted as witness's agent in Bury, 3927——Mr. Leech was appointed election agent for the purpose of paying expenses, 3928. 4001–4004——Mr. Le Grice pretty generally accompanied witness on his canvass, 3929. 4007.

No one but Mr. Collins had any authority at all to act for witness, 3930——Mr. James William Clark was never authorised to take any step whatever, nor to pay one single shilling on witness's account, 3931–3933——Witness does not recollect his ever having canvassed a single voter with him, 3932——Witness never sanctioned, either directly or indirectly, any entertainment at Burrows's at the Fox; witness had even insisted upon his doing nothing of the sort, 3934–3936——On the eve of the election witness calculated upon a majority of 19, and his majority was 20; 3937, 3938.

Witness did not authorise nor sanction any band after the election, 3939—— Evidence as to William Clark, a tailor, having promised witness his vote nine months before the election; witness had no doubt whatever he would fulfil that promise, 3940, 3941. 4023–4026—— With reference to a sum of 20*s.*, which witness gave to a Mrs. Robinson for her sister, Mrs. James, who was dying and in great distress, it was a pure act of charity, and in no way connected with the election, 3942–3946. 4027–4068. 4144–4152——The idea of obtaining a vote by it never entered into witness's head, 3946. 4027–4068. 4144–4152——The person named Henry James had no authority to interest himself or take any steps on witness's behalf; witness knew nothing whatever of him, 3947–3950.

The evidence of Braybrooke that "he told witness he would not vote for him till the affair of the previous election was settled," is a tissue of falsehood from beginning to end, 3951–3957—— Evidence in detail relative to the circumstance of Henry James having come down to see witness at Writtle, on Sunday the 21st June, and telling witness that he knew enough to unseat him, 3958–3962. 4088–4103. 4137——Reference to a statement made by James at the time that he wished to have money given him to go out of the way; he was partially drunk, and asked witness for a glass of beer; witness told him he would have nothing to do with him, 3962. 4088–4103. 4137——Witness never authorised, either directly or indirectly, one single farthing to be spent at the last election for the purpose either of bribery or treating one single voter, 3963, 3964.

Witness began his canvass about a month before the election, 3966, 3967——Mr. Collins has acted as witness's agent at former elections, 3968–3970——Witness does not know who hired the place where the so-called committee-room was; witness was in and out occasionally; other parties who attended there, 3971–4000——Witness does not know who hired the messengers, 4005, 4006——Further assertion made by witness that he never canvassed in company with James William Clark, 4008–4017——Never authorised Clark to pay any money on his account; does not know that he paid the bell-ringers, 4018–4022.

Witness had no idea whatever that Henry James was coming over to Writtle; had had no communication with either Mr. Barnes or Mr. Collins on the subject; all he had heard was that a man of the name of James had been served with a Speaker's warrant, 4069–4078. 4084–4086——Witness denies that James William Clark ever had any money of his in his hands, 4079–4083——The accounts of the election are made up, and there is a balance to be paid over to Mr. Leech of about 120*l.* due to him; it is simply witness's neglect that it has not been paid, 4104–4107. 4110–4113——The non-payment has nothing whatever to do with this petition, 4113.

Witness is aware that James William Clark claims to be put on the register as a voter, and has heard that his case has been argued before the Court of Common Pleas; witness does not know who paid the costs, 4114–4127——Witness has, of course, seen the placard up at the rooms used for the purposes of the election, "Mr. Hardcastle's Committee-room," 4128——Very few of the persons who went to this room had anything to do with the conduct of the election; they were mostly electors, 4129–4136——So far as witness knows, there was not one more messenger hired beyond what was necessary, 4142, 4143 ——Witness remembers canvassing Mr. Samuel Wilson about three weeks before the election, 4153–4156.

Hardcastle, Mr. Witness is the Sitting Member for Bury, *Hardcastle* 3919——Many of witness's forefathers lived in the town, and he has relatives there now; was educated there, *ib.* 3920, 3921.——*See* also *Evidence.*

Hardcastle, Mr., M. P. Resolution of the Committee that Joseph Alfred Hardcastle, Esq., is duly elected a burgess to serve in this present Parliament for the borough of Bury St. Edmund's, *Rep. p.* iii.

Hill, James. (Analysis of his Evidence.)—A butcher, 3337——Plumped for Mr. Hardcastle at the late election, 3338, 3339——Went to Burrows's, at the Fox, on the polling morning, to meet some brother electors, to go up to the poll together, 3341, 3342 —— Witness had been there the previous night, and it was arranged among five or six of them that they should meet there, and go up to the poll on the following morning; it

Report, 1857—*continued.*

Hill, James. (Analysis of his Evidence)—*continued.*

was not particularly arranged that Burrows should take them to the poll, but that they should meet there and go together, 3343-3396——Witness and one or two others had lunch at the Fox, after they had polled, and they paid for it, 3351. 3370-3396.

Holden, Mr. See *Treating.* *Undue Influence.*

J.

James, Henry. (Analysis of his Evidence.)—Shoemaker; was, at the time of the election, residing at Westgate, Bury St. Edmund's; is now carrying on the trade of a shoemaker, at Colchester, 54-57——Left Bury about a fortnight after the election, 58——Remembers the election at Bury St. Edmund's, 59——About the 12th March, witness remembers meeting Mr. Hardcastle, Mr. Le Grice, and Mr. Collins together, 60-66——They were canvassing a Mr. Ellis, a pork-butcher, for his vote, 67-69——Witness spoke to Mr. Collins, and he promised to employ witness as a messenger when the election came on, 70, 71.

Witness knows James William Clark, the hall-keeper at the Town-hall; told him what Mr. Collins had said to him, and Clark put witness's name down in a book, 72-75. 79-81——Evidence on the subject of numerous instances in which Clark, after this, gave witness money to take parties to drink at different public-houses and beershops, where the landlords were voters, in order to induce them to vote for Mr. Hardcastle, 76-78. 82 *et seq*——Case of his having gone with this object to the Cross Keys, kept by a man of the name of Last; spent about 8*s.* there; Last promised his vote; witness took a man of the name of Skates and several other persons with him; this was on the Thursday in the week before the election, 82-99. 572-631.

Case of witness having received money from James William Clark, on the following day, to go to a beershop kept by a man of the name of Teakes (a voter), with the same object; this money was given to witness in the shop of a Mr. Clark, a bootmaker, 100-125. 632-664——Witness went to the beershop with a party, and spent the money in drink; witness asked Teakes for his vote, and he promised it, 126-137. 632-664——On the following morning (the Saturday) witness went to James William Clark again, and reported progress; he told witness he was short of cash, and referred him to Moore, at the Griffin; witness was to go to him on the Monday morning, 138-148——On the Tuesday morning witness went to Clark again, and reported progress, 149-151——On the Monday or Tuesday previous to the election witness again met Mr. Hardcastle, Mr. Collins, and Mr. Le Grice out canvassing, 152-154.

Evidence as to witness having canvassed a man of the name of Bellman for his vote, and as to witness having told him that he had 25*l.* for his vote at the election in 1852, although witness had never had a vote, 155-177. 676-701——Evidence as to a second visit paid by witness to Teakes's beershop, when Teakes again promised his vote, 178-188——Witness spent altogether about 2*l.* at the different places, 189-190——Evidence relative to witness, by direction of Mr. Collins, canvassing a man of the name of Porter, who keeps the British Queen beershop; he has a wooden leg, and Mr. Collins told witness he was to go and stir up that timber-legged gentleman, 191-207——Reference to a statement made by Porter, on witness asking him for his vote, that he owed his brewer 17*l.* 10*s.*, and he also owed a little rent; witness promised he should have the money, although he had no authority for doing so, 208-223.

On the day before the nomination James William Clark told witness to go to Mr. Burrows, at the Fox, and ask for some money to get up a party at Porter's with a view to enticing him to vote for Mr. Hardcastle, 224-230——Burrows referred witness to a man of the name of Bullock, and a party of about 20 was made up who went to Porter's and spent about half guinea in drinking, 231-249——Mr. Hardcastle's committee-rooms were in an unoccupied house in Chequers-square; witness has seen placards in the windows, "Hardcastle's Committee-rooms;" has seen Mr. Hardcastle there, 250-259——Witness has also seen Mr. Le Grice, Mr. Collins, and Mr. Braddock, and also Robert Burrows, the landlord of the Fox, there, 260-266.

Witness knows a man of the name of William Clark, a tailor; he is a terrible fellow for his drink, 267-272——Saw him on the evening of the nomination day tipsy, as usual, in the street; Skates was with him, 273-277——Evidence as to witness and Skates having taken William Clark to the Griffin, and having made him helplessly drunk, keeping him there all night, and taking him up to the poll the first thing in the morning, 278-314——Mrs. Norman, the landlady, made out a bill for the expenses of the night amounting to 3*l.* 6*s.* 6*d.*; witness showed this bill to James William Clark, and he said he would see Mr. Norman about it, 315-323.

Witness took Teakes and several other voters up to the poll, 324-340——Various parties with whom witness is acquainted who were engaged as messengers; evidence as to how far they had anything to do, 341-354. 378, 379——On the Monday after the election witness went, according to directions received from Mr. Last, Mr. Le Grice's clerk, to the committee-rooms

James, Henry. (Analysis of his Evidence)—*continued.*

committee-rooms to be paid; parties whom he saw there, 355-361——The messengers were being paid when witness got there; they were called in one at a time, 362——Witness went in in his turn, and a sovereign was laid down for him on the table; witness told them if his services were not worth more than that, he would make them a present of it, 363-365——Witness afterwards saw James William Clark, who paid him 5*l.* for his services, 366-379——Instructions were given to witness by Mr. Graves to get 13*s.* 6*d.* from Clark to pay various scores left at different beer-shop keepers, for fear they should say anything to injure Mr. Hardcastle, 380-394.

Witness left Bury, and went to Colchester, about a fortnight after the election, in consequence of having lost his wife and home, 395-398——Witness thinks it was within a week after the election that he first made a statement of the matters in which he has given evidence before this Committee; will swear that it was within a month; mentioned it to Mr. Clay, a wine-merchant of Bury, 399-414. 422-429——Witness was not in communication with Mr. Oakes's party during the election, 415-421.

When witness was offered the 1*l.* for his services, he did not say that unless he received 5*l.*, he would do what he could to unseat Mr. Hardcastle, nor anything to that effect, 430-439——Witness knows Mr. Barnes, of Colchester; witness never told him that he would go out of the way, and not obey the Speaker's warrant, if Mr. Barnes would only pay him for doing so, 440-446. 496. 498-515.

Witness has been at Writtle, where Mr. Hardcastle lives; has friends living there, 447——Evidence relative to witness having gone to see these friends on Sunday the 21st June, and having put himself purposely in the way, so as to meet Mr. Hardcastle coming from church, 448-457. 527, 528——When witness saw Mr. Hardcastle, he told him that he meant to give evidence that would unseat him; and on Mr. Hardcastle asking witness what he knew about the election, he told him he should not tell him, 458-482. 490-497——Witness did not ask for any money, but Mr. Hardcastle said he dared not give him any, 458-464. 490-492.

Witness did not tell Mr. Hardcastle that he was willing to go out of the country if he was paid for doing so, nor anything to that effect, 465-469. 470. 477——Mr. Hardcastle did not tell witness that he would have nothing to do with him, 470-482——Witness did not tell Mr. Hardcastle he could live like a prince at Norton Court (Mr. Oakes's seat) if he liked, 483-489——Witness knows Captain Hubbard; never had any conversation with him about wanting 5*l.* for his services, 516-526.

Lengthened examination as to witness's former character, 529-563——When witness was first engaged as a messenger, nothing was said to him as to the rate of remuneration that he was to have, 564-571——Witness does not recollect that any one else was present when James William Clark gave him the 5*s.* to take a party to drink at Last's, at the Cross Keys, but Skate was present with witness when he asked Last for his vote, 572-631——On the occasion of James William Clark's giving witness the money at Clark's, the bootmaker, to go and spend at Teakes's, Mr. William Clark was present, and he made the observation, "What! you have commenced bribery already," 632-664——No one else was present when James William Clark told witness he was short of cash, and referred him to Moore, at the Griffin, 670-675.

Further evidence as to witness having told Bellman that he had 25*l.* for his vote at the election of 1852, witness never having had a vote at all, 676-701——Witness told him this with a view to induce him to vote for Mr. Hardcastle, as the other party were after him, 676-701——When witness told James William Clark he had stated this to Bellman, he made no observation about it, 702-710——Witness never spoke to Bellman on the subject again, 711-715.

When witness and Skate went to Porter's, they had had no money given them to spend at his house; what they spent, they spent out of their own pockets, 726-730——Witness went to ask him for his vote; he was paid to go round on purpose to get votes; witness never asked for any money to give to Porter; and having promised him the 17*l.* 10*s.* without any authority, witness never took any steps to perform his promise, 731-773——Witness told James William Clark that he had made this promise, 749-761——Porter had not told witness that he intended to vote for Hardcastle before mention was made of the 17*l.* 10*s.*; 774-780.

Further evidence as to James William Clark having told witness to go to Burrows, and get some money to get up a party to go to Porter's to entice him to vote for Mr. Hardcastle, 781-812——Further evidence relative to the fact of witness and Skate having taken William Clark, the tailor, to the Griffin, and making him drunk, and keeping him there all night, and taking him to poll in the morning, 813-849——Witness has heard that some of the messengers were paid 5*s.*, some 10*s.*, and some a sovereign, 850, 851——Witness got 5*l.*, which James William Clark paid him at different times; no one was present at any time when Clark paid him, 856-866.

No one was present when Mr. Graves told witness to go to Clark for 13*s.* 6*d.* to pay the scores at the beer-houses, nor was any one present when Clark gave him the money, 867-869——Witness does not believe that on any occasion when he has had conversa-

Report, 1857—*continued.*

James, Henry. (Analysis of his Evidence)—*continued.*

tions with James William Clark on the subject of the election any single individual has been present, and heard them, 870.

Witness has received 3*l.* 10*s.* towards his expenses since he has been in London; does not know how much more he is to receive, 871-881——Besides this 3*l.* 10*s.*, witness has had a sovereign lent him by Mr. Clay; this was after he had given his evidence to Mr. Clay, 888-896——What made witness go to Mr. Clay to give evidence was, because he considered the other party had behaved dirty to him; this was after he got the 5*l.*; 897-905. 977-983——Witness had no notion of doing it during the time the election was going on, 906-913.

Witness has no recollection of saying to Mr. Lyrett, an engineer of Bury St. Edmund's, on the evening of the polling-day, "How quiet and comfortable the thing has been done; I don't believe Mr. Hardcastle has spent a shilling," 914-943. 976——Mr. Clay had been very kind to witness's wife during her illness, and it was in consequence of this that witness went to him, and told him what had occurred during the election, 944-951. 977-983——Further evidence as to witness having gone to Writtle to see Mr. Hardcastle, 952-961——Witness does not know what Mr. Barnes sent to him for, but can guess, 962-970——Further examination as to witness's former character, 971-975.

James, Mr. Examination as to witness's former character, *James* 529-563. 971-975—— The person named Henry James had no authority to interest himself, or take any steps on witness's behalf; witness knew nothing whatever of him, *Hardcastle* 3947-3950—— Never heard Mr. Graves say to Henry James, "Well, James, you are a non-elector; go and do as you like," *Le Grice* 4163-4166. 4244.

See also *Bribery*, II. 2. 6. *Detention of Voters.* *Evidence.*

L.

Leach, Mr. See *Accounts.* *Bribery*, II. 5. *Committees.* *Election Agent.* *Expenses of the Election.* *Messengers.*

Le Grice, Henry. (Analysis of his Evidence.)—Solicitor at Bury St. Edmund's; is also a magistrate of the borough, 4157-4159——Opinion that there has been a change in the political feeling of the borough latterly; there has been a change in favour of the Liberal party since the last registration; apparent cause of this, 4160-4162. 4229-4232—— Never heard Mr. Graves say to Henry James, "Well, James, you are a non-elector; go and do as you like," 4163-4166. 4244——There was no committee formed for Mr. Hardcastle's election, 4167. 4237-4239——Witness canvassed with Mr. Hardcastle, 4168. 4240——Cullum's house has a very bad name, a very bad repute, 4169, 4170.

Rooms were hired for the purposes of the election, and one or two clerks were employed; duties on which they were employed; a placard was put up at this room, "Mr. Hardcastle's Committee sit here daily," 4171-4199. 4237-4239——Witness does not know how the thirty-seven messengers were employed; he had nothing to do with them, and therefore cannot tell whether they were more than sufficient for the business of the election or not, 4200-4226. 4233-4236——Witness does not know whether the greater part of these messengers were voters, or friends of voters, or not, 4227——Believes that door-keepers, bill-posters, and others were included in the list of messengers, 4228.

Witness first began canvassing with Mr. Hardcastle about a fortnight before the dissolution of Parliament, 4240—— Witness would say that they canvassed a man of the name of Samuel Wilson about a fortnight before the election, 4241, 4242——The statement made by Henry James, that he went to the committee-rooms, and reported that there was a voter of the name of Clark, who had promised Mr. Hardcastle, up at the Griffin, drunk, and ought to be taken care of for the night, and that witness said, "He did not know what was to be done; that 6*d.* would turn Mr. Hardcastle out," is incorrect, 4243. 4245-4267.

Le Grice, Mr. Mr. Le Grice pretty generally accompanied witness on his canvass, *Hardcastle* 3929. 4007.

M.

Majority. On the eve of the election witness calculated upon a majority of 19, and his majority was 20, *Hardcastle* 3937, 3938.

Merry, Charles. (Analysis of his Evidence.)—Supplies music sometimes for the good people of Bury, 3133——Witness had orders from Mr. Robert Barton to go up to the Angel Hill, to the hustings, on the election day; witness went there, but did not order the band, as they were all there when he got there; they had orders from Mr. Barton, and went and played about the town, 3134-3145——Played opposite the Fox, kept by Burrows;

Report, 1857—*continued.*

Merry, Charles. (Analysis of his Evidence)—*continued.*

Burrows; Barton paid the band; Burrows gave him the money; some of the band were voters, 3146-3170. 3186-3189. 3235-3246——Robert Barton is one of the bailiffs of the county court, of which Mr. Collins is registrar, 3164-3168——Some beer was sent out of the Fox, but witness did not get any of it; witness does not know who paid for it, 3171-3178, 3229-3234——Witness believes that either Barton or his father told him that Mr. Collins had said that Barton was on no account to go out with the band, 3190-3198. 3215-3225——They played before other public-houses besides the Fox, and had some beer, but paid for it, 3199-3209. 3229-3234.

Messengers. Witness spoke to Mr. Collins, and he promised to employ witness as a messenger when the election came on, *James* 70, 71——Witness knows James William Clark, the hall-keeper at the town-hall; told him what Mr. Collins had said to him and Clark; put witness's name down in a book, *ib.* 72-75. 79-81——Various parties with whom witness is acquainted who were engaged as messengers; evidence as to how far they had anything to do, *ib.* 341-354. 378, 379.

On the Monday after the election, witness went, according to directions received from Mr. Last, Mr. Le Grice's clerk, to the committee-rooms, to be paid; parties whom he saw there, *James* 355-361——The messengers were being paid when witness got there; they were called in one at a time, *ib.* 362——Witness went in in his turn, and a sovereign was laid down for him on the table; witness told them if his services were not worth more than that, he would make them a present of it, *ib.* 363-365——Witness afterwards saw James William Clark, who paid him 5*l.* for his services, *ib.* 366-379.

When witness was offered the 1*l.* for his services, he did not say that unless he received 5*l.*, he would do what he could to unseat Mr. Hardcastle, nor anything to that effect, *James* 430-439——When witness was first engaged as a messenger, nothing was said to him as to the rate of remuneration that he was to have, *ib.* 564-571——Witness has heard that some of the messengers were paid 5*s.*, some 10*s.*, and some a sovereign, *ib.* 850, 851.

Witness was one of the messengers on Mr. Hardcastle's side at the last election; got 10*s.*; was paid by Mr. Robert Last, Mr. Le Grice's clerk, *E. Braybrooke* 1564-1569——Witness was paid on the Monday after the election, along with the other messengers, at the committee-room; parties who were present; Mr. Leech was not there, *ib.* 1600-1606——Witness got 10*s.* for his two days' employment as messenger, *ib.* 1662-1669——Witness was one of Mr. Hardcastle's messengers at the last election, *J. Robinson* 1832——Attended at the committee-room on the Monday after the election, and was paid 15*s.* by a man of the name of William Whiting, *ib.* 1833-1838——Witness was appointed a messenger by Mr. Collins, *ib.* 1854-1856.

Examination on the list of messengers, check clerks, committee clerks, &c. employed on the part of Mr. Hardcastle, showing how far they were voters, or relatives of voters, *Catton* 2861-2984. 2997-3017——Explanation as to the circumstances under which witness was paid 10*s.* 6*d.* for his supposed services, although he did nothing; he voted for Mr. Oakes and Lord Jermyn, *ib.* 2985-2996——Examination upon Mr. Oakes's list of messengers, showing who were voters and who were not, *ib.* 3018-3036——Three messengers were employed for Lord Jermyn and eleven for Mr. Oakes, *ib.* 3037-3040.

Witness does not know who hired the messengers, *Hardcastle* 4005, 4006——So far as witness knows, there was not one messenger hired beyond what was necessary, *ib.* 4142, 4143——Witness does not know how the thirty-seven messengers were employed; he had nothing to do with them, and therefore cannot tell whether they were more than sufficient for the business of the election or not, *Le Grice* 4200-4226. 4233-4236——Witness does not know whether the greater part of these messengers were voters, or friends of voters, or not, *ib.* 4227——Believes that door-keepers, bill-posters, and others were included in the list of messengers, *ib.* 4228.

The messengers were appointed without any consideration as to whether they were voters or not, and witness considered that the number (thirty-seven) appointed was no more than was necessary; it included door-keepers, bill-posters, and persons of that description, *Collins* 4296-4303. 4341-4377. 4390-4411. 4413-4415. 4486, 4487. 4513-4523——The allowance to them was 5*s.* a day; in former elections it used to be 7*s.* 6*d.*, *ib.* 4298, 4299. 4488. 4513-4519——Parties who were present when the messengers were paid, *ib.* 4503-4507.

See also *Bribery*, II. 6.

N.

Naylor, James Richard. (Analysis of his Evidence.)—Produces from the Crown-office the poll-books of the last election, and also the writ and return, 1, 2.

Report, 1857—*continued.*

P.

Partridge, Henry. (Analysis of his Evidence.)—Saddler and harness-maker, 3247——Is connected with the bell-ringers; the bells were rung on the night of the election, 3248, 3249——Witness did not take any order directly for ringing; two of the ringers came to him, and told him there was an order; upon this, ten of them went and rang, 3250-3254——The money to pay the ringers was taken at Mr. James William Clark's; no particular reason was assigned why it was paid there, 3255-3272——Witness took 5*l.*, and divided it into eighteen shares, 3262——The bells have always been rung on the occasion of elections, 3273-3280.

Pawsey, Frances. (Analysis of her Evidence.)—Witness's husband's name is Robert; lives in Garland-street; at the time of the late election was living in High Baxter-street, 2055-2057——Witness goes out as a charwoman; gets different rates of pay; sometimes as much as 5*s.* a day, when she finds her own food, 2058-2062——Witness was examined by Mr. Collins on the subject of this petition a few days ago, but her statement was not taken down in writing, 2063-2072——Cannot name any other person that has employed her as charwoman at 5*s.* a day but Mr. Clark, and this was two years ago, 2073-2083. 2267-2270——Witness's usual pay is 3*s.* 6*d.* a day, without board, 2084-2090.

Was engaged as charwoman at Mr. Hardcastle's committee-room for eight days; Mr. Collins engaged witness; Mr. Leech paid her; witness sent in a bill for 35*s.*, and Mr. Leech paid her 30*s.*; copy of this bill produced, 2091-2102. 2156——Witness went several times for the money; Mr. Leech said the charge was too high, and he must see Mr. Collins about it; witness has never applied for the other 5*s.*, 2103-2122——Witness's husband is a voter, 2123——Witness showed the bill to her husband before she took it in, 2124——Mr. Leech had one bill, and the copy produced is in the handwriting of James Brett, one of Oakes's party; it was made from her husband's books, 2125-2153.

Witness's husband voted for Mr. Hardcastle; witness does not remember his being canvassed for his vote; nor was witness asked by anybody for his vote, 2154, 2155. 2157-2164——Witness has not received a farthing besides the 30*s.*, and she spent this on her children, and did not give any of it to her husband; told her husband she had got it, 2165-2180——Witness knew her husband was going to vote for Mr. Hardcastle; he had voted for him before, 2181-2187.

Besides Mr. Collins and Mr. Hardcastle, witness has seen Mr. Last, Mr. Graves, and Mr. Le Grice; has never seen Mr. Holden, Mr. Burrows, nor Mr. James William Clark at the committee-rooms, 2188-2212. 2224-2234——The gentlemen who attended the room were sometimes talking and sometimes writing; none of them ever spoke to witness about election matters, 2213-2223. 2235-2258——The rooms that were taken for the purposes of the election were in an empty house, and were in a filthy state, and quite required the services of a charwoman, 2259-2266——Nothing was said before the election as to what witness was to have for her services; she sent in her bill in the usual way, 2271-2284.

[Second Examination.]—Witness knows Noel Stebbing; spoke to him after her husband came out of this committee-room; she said to him what she does not wish to repeat to the Committee; no doubt the gentlemen know what it was, 2404-2412.

[The witness was directed to withdraw, and, on being re-called, did not answer to her name.]

[Third Examination.]—All that witness said to Noel Stebbing, on her husband coming out of the committee-room, was, that he was an old humbug, 2569-2597——Witness told the gentlemen outside that Stebbing had come up against her husband, 2575-2597.

Pawsey, Robert. (Analysis of his Evidence.)—A carpenter; voted for Mr. Hardcastle at the last election; never had a vote before, 2285-2287. 2289——Witness's wife goes out charing, 2288——Witness was canvassed by Mr. Oakes, Mr. Hardcastle, and Lord Jermyn; did not promise either party; witness only made up his mind half an hour before he went up to vote, 2290-2304——Peckham, witness's landlord, never asked witness for his vote, 2306-2308. 2345——Witness's wife received 30*s.* for her charing at the committee-rooms; witness never had any of it, 2309-2311——Witness had no conversation with any one about his vote; even his wife did not know how he was going to vote, 2312-2325. 2346-2348——Noel Stebbing asked witness to vote for Mr. Oakes, but witness never promised him; nor did he tell him that he had had 1*l.* from Mr. Hardcastle's party, 2326-2344.

[Second Examination.]—Witness never told Stebbings, in answer to any question about what his wife had, that he "did not know what she got; all he knew was, that he had a sovereign for himself," 2657-2659——Witness never saw Peckham during the election, 2660——Witness knows James Brett, a bricklayer; he does a little writing for witness, 2661-2663——Witness saw the bill that he made out for witness's wife; but he never saw more than one copy of it, 2664-2670.

Report, 1857—*continued.*

Pawsey, Mr. See *Bribery*, II. 5.

Poll Books. Witness produces from the Crown-office the poll-books of the last election, and also the writ and return, *Naylor* 1, 2.

Porter, James. (Analysis of his Evidence.)—Is the timber-legged old gentleman spoken of before this Committee; keeps a beer-house; believes the name of it is the British Queen, 1929, 1930——Voted for Mr. Hardcastle at the last election; never had a vote before, 1931–1935——Knows Skates and Henry James by sight; believes they were at the British Queen just before the election; very likely James asked him for his vote; many people asked him, 1936–1941. 1963–1969——Witness never owed his brewer 17*l.* 10*s.*, 1942–1947.

Had no party at the British Queen the day before the nomination, only a few odd ones; Richard Bullock was there, but he only paid witness for the beer he drank, 1948–1962. 2049–2054——Witness did not promise his vote to any one; Mr. Hardcastle canvassed him in company with Mr. Collins, 1970–1980——The night Bullock was at the British Queen he did not pay witness any such sum as 10*s.* 6*d.*; he paid only for what he had, and witness received money from different people who were of the party; they did not all come together, 1982–1991.

Witness never told James that he owed his brewer 17*l.* 10*s.*, nor any other sum, 1992–1996. 2032–2036——Does not know what he told James when James asked him about his vote, 1997–2024. 2029–2031——Nothing was said about witness's rent, 2025–2028——The only conversation witness recollects having had with any of the odd party, was about the beer they had had, and which different persons paid him for, 2037–2046.

Porter, Mr. See *Bribery*, II. 1.

Public-houses. See *Bribery*, II. 1.

R.

Registration. Opinion that there has been a change in the political feeling of the borough latterly; there has been a change in favour of the Liberal party since the last registration; apparent cause of this, *Le Grice* 4160–4162. 4229–4232.

Revision of Lists. For the last five years witness has paid great attention on the part of Mr. Hardcastle to the revision of the list of voters, *Collins* 4525–4528.

Robinson, John. (Analysis of his Evidence.)—Lives in the Cemetery-road, Bury, 1831——Was one of Mr. Hardcastle's messengers at the last election, 1832——Attended at the committee-room on the Monday after the election, and was paid 15*s.* by a man of the name of William Whiting, 1833–1838——Witness was about the committee-room a good deal during the four days he was employed as messenger; has seen Mr. Hardcastle, Mr. Collins, Mr. Graves, Mr. Last, Mr. John Holden, and several others there, 1839–1853. 1912–1920——James William Clark was there every day, 1847. 1853——Burrows, of the Fox, was often there, 1848, 1849——Witness has never seen Mr. Leech there, 1852.

Witness was appointed a messenger by Mr. Collins, 1854–1856——Witness was canvassed two or three times by Mr. Hardcastle; the first time Mr. Le Grice and Mr. Collins were with him; witness would not promise him, 1857–1869——On the next occasion of his calling, Mr. Downs was with him, as well as Mr. Collins, and witness would not promise, but Mr. Hardcastle said, "Oh, I shall put it down as a promise," 1870–1875.

Mr. Hardcastle called a third time with Mr. Collins, and witness believes his wife told Mr. Collins something about her sister (Mrs. James) being ill, but witness does not know what it was, 1876–1887——Shortly after this, witness gave his wife a sovereign to give to Mrs. James; he told her he got it from James William Clark, the hall-keeper; witness took it as an act of charity, and not as a bribe; Clark said it came from Mr. Hardcastle, 1888–1908. 1921–1928——Witness has always voted on Mr. Hardcastle's side, 1909——Witness was employed four days as a messenger, and received 15*s.*; nature of his duties, 1910, 1911.

Robinson, Mr. See *Bribery*, II. 3. 6.

Robinson, Mrs. Susan. (Analysis of her Evidence.)—Wife of John Robinson; lives at Cemetery-road, Bury; is sister of the wife of Henry James, 1785–1787——Recollects her husband being canvassed by Mr. Hardcastle about a week before the election; Mr. Le Grice and Mr. Downs were with him, 1788–1793——Witness's sister (Mrs. James) had been lying on her death-bed seven months, and, as Mr. Downs knew her, witness may have told him she was very bad, but said nothing about her to Mr. Hardcastle, 1794–1805——Witness never saw James William Clark at the time of the election, nor ever spoke to him about the election, 1806–1816——Witness's husband gave witness a sovereign to give to her dying sister, but witness does not know, nor has she any idea

Report, 1857—*continued.*

Robinson, Mrs. Susan. (Analysis of her Evidence)—*continued.*

where he got it, 1817–1830——Supposes some one gave it him on account of her sister's affliction; James had pawned the bed from under her, and she was lying on straw, 1818–1827.

S.

Salmon, William. (Analysis of his Evidence.)—Town clerk and election auditor for the borough of Bury St. Edmund's, 3——Witness received and produces two accounts of the election expenses on behalf of Mr. Hardcastle, 4——One, headed "Account current of expenses necessary to be paid in ready money, and paid by Charles Denton Leech, the agent, for legal expenses of Joseph Alfred Hardcastle, Esq.," delivered to witness on 6th April, 4——The other, headed "Schedule of claims upon Joseph Alfred Hardcastle, Esq., in respect of his election as one of the representatives in Parliament for the Borough of Bury St. Edmund's," 5——Witness believes the first account to be in the handwriting of Robert Mason Last; the second is in the handwriting of Mr. Leech, 6.

Witness was in the polling-booth on the day of election nearly the whole of the day, 7, 8——Is acquainted with most of the electors in Bury, 9——Believes that many of the persons who came to vote for Mr. Hardcastle were intoxicated; would name William Clark, a tailor, and also a man named Porter, 10–19——Witness would not say that some of those who voted for Mr. Oakes were not in the same state, 20.

Did not canvass with Mr. Oakes, but has asked one or two persons to vote for him, 21–24——Asked a person of the name of Watson; witness is agent to his landlord; believes Watson was in arrear of rent, 25–29——Watson told witness he had promised to vote for Mr. Hardcastle, and he asked him to give his other vote to Mr. Oakes; witness does not remember having said to Watson that Mr. Hardcastle was no friend to him, and that he (witness) was, 30–37——Most of the voters who polled for Mr. Hardcastle, that witness fancied were intoxicated, came from the direction of the Fox; Burrows, the landlord, took an active part with them, 39–53.

Scates, Mr. See *Bribery*, II. 2. *Detention of Voters.*

Smith, Henry. (Analysis of his Evidence.)—Blacksmith, living at Bury St. Edmund's, 1415——Knows John Holden, a grocer; he took rather an active part in the last election, on the Liberal side, among his friends, 1415–1420——About a week or 10 days before the election, witness saw him at the George, when he said to witness, "Smith, though you are an old Tory," he says, "I have got some electioneering beer; will not you have a drink with me?" 1421–1425——He had some loose silver in his hand, and shook it, and said, "Here is 15*s.* more of electioneering money I have to spend," 1426, 1427.

Spies. Witness was not in communication with Mr. Oakes's party during the election, *James* 415–421.

Stebbing, Noel. (Analysis of his Evidence.)—Painter, living at Bury St. Edmund's, 2598——Knows Robert Pawsey quite well; recollects meeting him at the Fleece, on the Monday after the election, 2598–2601——Pawsey told witness he had a sovereign for himself; does not recollect that anything was said about what Pawsey's wife got for cleaning the committee-rooms, 2602–2604. 2613–2617——Peckham, who was in the room, said he went for Pawsey to vote, 2606–2612. 2618–2620——Evidence as to Mrs. Pawsey, when she came out of the committee-room, having told witness that he was an old false-swearing man, and that he was going to transport her husband; Armstrong, the printer, heard her say this, 2621. 2648–2650.

Evidence as to witness having been threatened with a prosecution for obtaining goods under false pretences; this was in 1851; 2623. 2628–2644——Witness voted for Mr. Oakes; was employed by his committee as a messenger, at half-a-guinea a day, 2623–2627.

T.

Teakes, John. (Analysis of his Evidence.)—A voter for Bury; keeps the Bricklayers' Arms beerhouse; it was formerly the Marquis' Arms, 2413–2416——Knows Skates and James, 2417, 2418——Recollects their coming to his house with a party a few days before the election; they had been in the habit of coming to witness's house with a party of five or six occasionally, for three months, 2419–2435——At the time they came, just before the election, each party paid for himself, except, perhaps, that Skates paid for James; James seldom paid for much, 2436–2461. 2498–2506. 2548–2563.

No one canvassed witness but Mr. Hardcastle and Mr. Collins; Holden never canvassed witness for his vote; Skates and James may have asked witness how he was going to vote, but he never told them; witness went up to the poll with Mr. Holden, 2462–2494. 2531–2536——Witness had always voted for the other party before; was not canvassed

Teakes, John. (Analysis of his Evidence)—*continued.*

canvassed at all by this party this time, 2495-2497. 2564-2568——Witness never spoke to James William Clark about the election, nor ever told him how he was going to vote, 2507-2530. 2546, 2547——Witness never told anyone how he was going to vote, except Skates and James, and he only told them the night before the polling day, 2523. 2531-2545. 2547.

Teakes, Mr. See *Bribery*, II. 1.

Tories. Witness has always voted for the other party before; was not canvassed at all by this party this time, *Teakes* 2495-2497. 2564-2568.

Travelling Expenses. Witness resided formerly at St. Andrew's-street, Bury; resided in London at the last election, *Baxter* 1446, 1447——Recollects a gentleman calling on him about a week before the election with reference to it, *ib.* 1448, 1449——He called twice, and witness was not at home, and an appointment was made that witness was to meet him at the Star and Fountain, in King-street, Cheapside, *ib.* 1450-1456——This gentleman asked witness to vote for Mr. Hardcastle, and witness told him he should go down and vote, but did not say for whom, *ib.* 1457-1459——Evidence as to his having told witness that his expenses of going down would be paid, and if what he got was not sufficient, he would have some more when he got to Bury, *ib.* 1459——Witness met him again by appointment the following night at the same place, when he called witness out, and gave him two sovereigns, *ib.* 1459-1464.

Just before the election witness received a letter from Mr. James William Clark, saying, that if he came down to Bury to vote for Mr. Hardcastle, his expenses would be paid; witness answered this letter, to say he should be down at a certain time, *Baxter* 1473-1480——Some friend of witness's that went down with him paid his fare; he went down with two or three friends, and has not settled with them, *ib.* 1481-1486——Evidence relative to James William Clark having met witness at the station at Bury with a cab, and they drove to the Six Bells, *ib.* 1487-1489——Witness saw Mr. Collins there, and told him his agent in London had not given witness enough for his expenses; witness also made allusion to the letter he had received from Mr. J. W. Clark, *ib.* 1500-1511. 1513-1515.

Mr. Collins disclaimed having anything to do with any agent in London, and also stated he knew nothing about any letter, *Baxter* 1500-1511. 1513-1515——Witness voted for Mr. Oakes, *ib.* 1538——Witness had no communication whatever with a man of the name of Frederick Baxter who came from London to vote, *Collins* 4445-4448. 4489-4491. 4495-4502——Witness had heard he was coming, and saw him at the Six Bells, but did not interfere about his vote; in fact, the election was virtually over when witness saw him, *ib.* 4449-4479. 4489-4491.

Treating. Witness is a blacksmith, living at Bury St. Edmund's, *Smith* 1415——Knows John Holden, a grocer; he took rather an active part in the last election on the Liberal side, among his friends, *ib.* 1415-1420——About a week or ten days before the election, witness saw him at the George, when he said to witness, "Smith, though you are an old Tory," he says, "I have got some electioneering beer; will not you have a drink with me?" *ib.* 1421-1425——He had some loose silver in his hand, and shook it, and said, "Here is 15*s.* more of electioneering money I have to spend," *ib.* 1426, 1427.

Circumstances under which witness overheard Mr. Burrows, of the Fox, say to witness's father, who told Burrows he had promised to vote for Mr. Oakes, "Never mind; come to my house in the morning, and take breakfast, and go and vote with the rest of us," *J. Braybrooke* 1686. 1695. 1703. 1729-1736——Witness had no party at the British Queen the day before the nomination, only a few odd ones; Richard Bullock was there; but he only paid witness for the beer he drank, *Porter* 1948-1962. 2049-2054.

On the nomination afternoon was out in Bury in the street, *Turner* 3061——Recollects seeing Mr. Hardcastle, Mr. Le Grice, and Mr. Collins on Eastgate Bridge, about six o'clock, talking to Robert Burrows, of the Fox, *ib.* 3062-3069. 3099-3110——They left Burrows and came up towards witness, and went in to three or four houses, and then returned to Burrows, who had waited for them on the bridge, *ib.* 3070-3080. 3116-3127——They all went off together towards the Fox, *ib.* 3081. 3128-3131——On the following morning, the polling day, witness saw several voters come out of the Fox; names of some of these parties, *ib.* 3082-3096.

Witness went to the Fox on the morning of the election to meet a party to go up to the poll; this is the only time he had been to the Fox during the election, *Whitehead* 3300-3308——Witness had heard from a man of the name of Robinson that a party was going to meet at the Fox; there might have been about twenty there, *ib.* 3309-3319——Burrows, the landlord of the Fox, went up to the poll with them; witness plumped for Hardcastle, but did not notice how the others voted, *ib.* 3320-3333.

Witness went to Burrows's at the Fox on the polling morning, to meet some brother electors, to go up to the poll together, *Hill* 3341, 3342——Witness had been there the previous night, and it was arranged among five or six of them that they should meet

Report, 1857—*continued.*

Treating—continued.

there, and go up to the poll on the following morning; it was not particularly arranged that Burrows should take them to the poll, but that they should meet there, and go together, *Hill* 3343-3396——Witness and one or two others had lunch at the Fox, after they had polled, and they themselves paid for it, *ib.* 3351. 3370–3396.

Witness never sanctioned, either directly or indirectly, any entertainment at Burrows's, at the Fox; witness had even insisted upon his doing nothing of the sort, *Hardcastle* 3934-3936——Witness never authorised, either directly or indirectly, one single farthing to be spent at the last election for the purpose either of bribery or treating one single voter, *ib.* 3963, 3964.

See also *Bribery.*

Turner, Robert. (Analysis of his Evidence.)—On the nomination afternoon was out in Bury in the street, 3061——Recollects seeing Mr. Hardcastle, Mr. Le Grice, and Mr. Collins, on Eastgate Bridge, about six o'clock, talking to Robert Burrows, of the Fox, 3062-3069. 3099-3110——They left Burrows, and came up towards witness, and went into three or four houses, and then returned to Burrows, who had waited for them on the bridge, 3070–3080. 3116-3127——They all went off together towards the Fox, 3081. 3128-3131——On the following morning, the polling day, witness saw several voters come out of the Fox; names of some of these parties, 3082–3096——Recollects a band playing on the afternoon after the election; it played in front of the Fox, 3097. 3132.

U.

Undue Influence. Witness did not canvass with Mr. Oakes, but has asked one or two persons to vote for him, *Salmon* 21–24——Asked a person of the name of Watson; witness is agent to his landlord; believes Watson was in arrear of rent, *ib.* 25–29——Watson told witness he had promised to vote for Mr. Hardcastle, and he asked him to give his other vote to Mr. Oakes; witness does not remember having said to Watson that Mr. Hardcastle was no friend to him, and that he (witness) was, *ib.* 30–37.

John Holden, Robert Last, and Ranson went up to vote with witness's husband, *Sophia Bellman* 1187, 1188. 1224, 1225——Holden was a friend of witness's husband, and had lent him 10*l.* some years ago, which had been repaid; Holden did not say anything to her husband about his vote, *ib.* 1189-1202——Witness saw John Holden about half an hour before he voted; there was a party of them of about seven or eight who had something to drink at the Marquis of Cornwallis; they all paid for what they had, *Wm. Bellman* 1279-1287——Reference to an observation made by Holden that he had been a friend to witness once, and would be again if he wanted 5*l.*, *ib.* 1288–1301. 1393–1398. 1408, 1409——Witness had borrowed 10*l.* of Holden about six years ago, but had repaid it some time since, *ib.* 1288–1301——Witness does not know whether the observation about the 5*l.* was made before or after Holden asked him for his vote, *ib.* 1292–1294.

Witness's landlord, Mr. Frederick Clark, never asked witness for his vote, *Wm. Bellman,* 1345–1349——Nothing was said about witness's rent, *Porter* 2025–2028——Peckham, witness's landlord, never asked witness for his vote, *R. Pawsey* 2306–2308. 2345——Peckham has told witness that he went for Pawsey to vote, *Stebbing* 2606–2612. 2618–2620——Witness never saw Peckham during the election, *R. Pawsey* 2660.

V.

Voters. See *Messengers.* *Revision of Lists.*

W.

Whitehead, Benjamin. (Analysis of his Evidence.)—Tailor, residing in Eastgate-street, Bury, 3281, 3282——Voted for Mr. Hardcastle; voted for Mr. Oakes in 1852; 3283–3288. 3299——Witness was canvassed by Mr. Hardcastle; Mr. Le Grice and Mr. Collins were with him, and witness promised his vote, 3289–3298——Witness went to the Fox on the morning of the election to meet a party to go up to the poll; this is the only time he had been to the Fox during the election, 3300–3308——Witness had heard from a man of the name of Robinson that a party was going to meet at the Fox; there might have been about twenty there, 3309-3319——Burrows, the landlord, went up to the poll with them; witness plumped for Hardcastle, but did not notice how the others voted, 3320-3333.

Wilson,

Report, 1857—*continued.*

Wilson, Samuel. (Analysis of his Evidence.)—Baker, residing at Bury, 3522, 3523——Knows Mrs. Frances Cullum; previously to the last election witness had been in the habit of supplying her with goods in the way of his trade, 3524, 3525——At the time of the election she owed witness some money, and he called upon her for it, but his call had nothing to do with the election, 3526–3549——Witness never asked her to get her husband to vote for Mr. Hardcastle, nor ever told her that he would give her 10*l.* off the book, and 10*l.* to go on in business with, 3532–3548——In speaking about the election with witness, she has said that her husband would not vote without being paid for it; and her husband has told witness he would have some money for his vote, and would pay part of his bill, 3532–3540. 3595–3644.

Witness did not see Mrs. Cullum at all during the election week; nor did Mr. Hardcastle canvass witness during that week; it was at least three weeks or a month before the election that he was canvassed by him and Mr. Collins, 3550–3565. 3570. 3579–3594. 3670–3685——Witness does not recollect Ellen Cullum coming to his shop during the election week, 3566–3569. 3571–3578. 3645–3650——Witness has left off supplying the Cullums with bread within the last month, as they do not keep their accounts paid up, 3651–3655.

Witness took no part in the election further than voting, 3656–3661. 3706–3709——Cullum has dealt with witness for ten years, and has been pretty regular in his payments till lately; at the time of the election they owed witness rather more than 20*l.*; 3664–3669. 3686–3689——Evidence relative to John Cullum having got into trouble for assaulting the police; this was before witness left off supplying them, 3689–3702.

Wilson, Mr. See *Bribery*, II. 4. *Evidence.*

Witnesses. Witness has received 3*l.* 10*s.* towards his expenses since he has been in London; does not know how much more he is to receive, *James* 871–881——Besides this 3*l.* 10*s.*, witness has had a sovereign lent him by Mr. Clay; this was after he had given his evidence to Mr. Clay, *ib.* 888–896——Witness knows Noel Stebbing; spoke to him after her husband came out of this committee-room; she said to him what she does not wish to repeat to the Committee; no doubt the gentlemen know what it was, *F. Pawsey* 2404–2412——All that witness said to Noel Stebbing on her husband coming out of the committee-room was, that he was an "old humbug," *ib.* 2569–2597——Witness told the gentlemen outside that Stebbing had come up against her husband, *ib.* 2575–2597.

Evidence as to Mrs. Pawsey, when she came out of the committee-room, having told witness that he was an old false-swearing man, and that he was going to transport her husband; Armstrong, the printer, heard her say this, *Stebbing* 2621. 2648–2650——Evidence as to witness having been threatened with a prosecution for obtaining goods under false pretences; this was in 1851, *ib.* 2623. 2628–2644——Witness was in a passage adjoining this committee-room, and heard Mrs. Pawsey abusing Noel Stebbing; cannot repeat the words that were used, but heard Mrs. Pawsey say, "You will be the death of my husband," *Armstrong* 2651–2656——Witness's husband is now in gaol, undergoing a sentence of six months' imprisonment, with hard labour, for assaulting the police; particulars attending this case, *F. Cullum* 2716–2726. 2744–2754——Witness's house has never been indicted as a house of ill-fame; it is a Tom and Jerry and grocer's shop, but nothing more, *ib.* 2727–2741.

See also *Evidence.*

Writ and Return. Witness produces from the Crown-office the poll-book, and also the writ and return for the late election for the borough of Bury St. Edmund's, *Naylor* 1, 2.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BURY ST. EDMUND'S BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
7 *August* 1857.

[*Price* 2 *s.*]

242—Sess. 2.

Under 20 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

CAMBRIDGE BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
28 *July* 1857.

Martis, 23° *die Junii*, 1857.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Cambridge:

The Marquis of Blandford.	Viscount Melgund.
Allan Eliott Lockhart, Esq.	Marmaduke Wyvill, Esq.

Chairman, RICKARD DEASY, ESQ.

Mercurii, 24° *die Junii*, 1857.

Ordered, THAT the Petition and Lists relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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MINUTES OF EVIDENCE - - - - - - - - - - p. 1
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REPORT.

CAMBRIDGE BOROUGH ELECTION COMMITTEE.

Lunæ, 6° die Julii, 1857.

THE HOUSE informed, That the Committee had determined,—

That Andrew Steuart, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Cambridge.

The House further informed, That the Committee had come to the following Resolutions :—

That John Halsey, Richard Stamford, and George Mills the younger, had, after the said Election, received money on account of having voted at the said Election :

That such money was so received without the knowledge and consent of the Sitting Member or his Agent.

The House further informed, That the Committee have altered the poll taken at the last Election for the said Borough by striking off the names of the aforesaid John Halsey, Richard Stamford, and George Mills the younger, on the ground aforesaid ; and have also altered the poll by striking off the names of Frederick Nicholson, William Bavey, William Henry Lawrence, William Gaylor, William Banham, Charles Bevill, Bradbury Last, and Benjamin Crouch, as not having had a right to vote at such Election ; and have also altered the poll by striking off the name of William Henry Nutt (No. 1573 on the Register), such voter having also voted at the same Election in respect of the qualification No. 760 on the Register ; and have also altered the poll by adding to the votes given for Andrew Steuart, Esq., the vote of Robert Moore, whose name appears on the poll as having only voted for Kenneth Macaulay, Esq.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 25° die Junii, 1857.

NAMES of the Members called over, all present.

Room cleared.

The Committee agreed to the following Resolutions:—

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee to do so.

2. "That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. "That the Committee expect that with respect to cases of bribery which it is intended to bring home to the Sitting Member, or his Agents, the Counsel for the Petitioners will now state the names of the electors bribed, and those of the persons who actually gave the bribes.

4. "The Committee, however, reserve to themselves a power, upon special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

7. "That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the Agents, whose names shall be handed in, without the special leave of the Committee.

8. "That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

9. "That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

10. "That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings of the Committee for the convenience of Counsel who may be absent.

11. "That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another."

Parties called in and informed of the above Resolutions.

Petition of *Robert Alexander Shafto Adair*, complaining of the undue election and return of Mr. *Steuart* at the last Election for the Borough of Cambridge, read.

Counsel, Mr. *Edwin James*, Mr. *Power*, Mr. *Coleridge*.

Agents, Mr. *Coppock*, Mr. *Eaden*, Mr. *Cockerell*.

Counsel for *Andrew Steuart*, Esq., one of the Sitting Members, Mr. *Slade*, Q.C., Mr. *F. H. Naylor*, Mr. *Cooke*.

Agents, Mr. *Barlow*, Messrs. *Baxter*, *Rose* and *Norton*.

The short-hand writer was sworn by the Chairman.

Mr. *Power* was heard to open the case on the part of the Petitioner.

J. R. Naylor, chief clerk from the office of the Clerk of the Crown, sworn, and examined by Mr. *Coleridge*. Produced writ and return, and put in eight poll-books relative to the last Election.

Edmund

Edmund Foster, sworn, and examined by Mr. *Power*.

Frederick Barlow, sworn, and examined by Mr. *Power*; cross-examined by Mr *Slade*; re-examined by Mr. *Power*; further examined by Mr. *Slade*.

Edmund Foster, examined by Mr. *Power*; cross-examined by Mr. *Slade*.

Charles Henry Cooper, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

John Eaden, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Power*.

William Cockerell, sworn, and examined by Mr. *Coleridge*.

Mr. *Power* was heard to sum up the case for the Petitioner.

[The Committee adjourned to To-morrow, at Twelve o'clock.

Veneris, 26° die Junii, 1857.

NAMES called over; Members all present.

William Cockerell, sworn, and examined.

Mr. *Power* was further heard to sum up the case of the Petitioner.

Mr. *Slade* was heard on behalf of the Sitting Member.

Room cleared. Committee deliberated.

Resolved, "That it had not been proved that the Sitting Member had been guilty of bribery, either by himself or his agents."

Parties called in and informed of the decision of the Committee.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 27° die Junii, 1857.

NAMES called over; Members all present.

Mr. *James* stated, he proposed to proceed with the scrutiny, and would take Class 1 in the list of objected votes.

ON THE VOTE OF CHARLES HARRISON.

(No. 644 on the Register; voted for Mr. STEUART.)

Mr. *James* stated the case against the validity of the vote.

Charles Harrison, sworn; and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*.

Mr. *Coleridge* was heard to sum up the case against the validity of the vote.

Mr. *Slade* was heard to state the case in support of the validity of the vote.

Room cleared.

Resolved, "That the vote of Charles Harrison is a good vote."

Parties called in and informed of the decision of the Committee.

ON THE VOTE OF JOHN HALSEY.

(No. 1766 on the Register; voted for Mr. STEUART.)

Mr. *Power* was heard to state the case against the validity of the vote.

Robert Leland, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Power*.

Edward Sanderson, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade.*

John Eaden, sworn, and examined by Mr. *Power*; cross-examined by Mr. *Slade.*

Edmund Foster, sworn, and examined by Mr. *Power*; cross-examined by Mr. *Slade.*

Mr. *Power* stated that this was the case against the validity of the vote.

Ordered, That *Charles Bevill* do attend this Committee forthwith.

Mr. *Slade* was heard to apply for an adjournment to enable him to produce John Halsey.

Frederick Barlow, sworn, and examined by Mr. *Slade.*

George Farney, sworn, and examined by Mr. *Slade.*

Room cleared. Committee deliberated.

Resolved, "That the case should be proceeded with forthwith."

Parties called in.

Mr. *Slade* was heard in support of the vote.

Mr. *Power* was heard in reply.

Room cleared. Committee deliberated.

Question "That the vote is a good vote," put. The Committee divided:

Ayes, 1.	Noes, 4.
Mr. Lockhart.	Mr. Deasy. Lord Blandford. Lord Melgund. Mr. Wyvill.

The vote struck off the poll.

Parties called in and informed of the decision of the Committee.

The Agents for the Sitting Member applied for a Warrant to procure the attendance of *Charles Bevill.*

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 29° die Junii, 1857.

NAMES called over; Members all present.

Mr. *Hodges,* as short-hand writer, sworn by the Chairman.

ON THE VOTE OF RICHARD STAMFORD.

(No. 1170 on the Register; voted for Mr. STEUART.)

Mr. *Coleridge* was heard to state the case against the validity of the vote,

William Smith, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge.*

Matthew Brown, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge.*

Mr. *Coleridge* was heard to sum up the case against the validity of the vote.

Mr. *Slade* was heard in support of the vote.

Richard Stamford, sworn, and examined by Mr. *Cooke*; cross-examined by Mr. *Power*; re-examined by Mr. *Slade.*

Frederick Barlow, sworn, and examined by Mr. *Cooke*; cross-examined by Mr. *Power.*

Mr. *Cooke* was heard to sum up the case in support of the validity of the vote.

Mr. *Power* was heard in reply.

Room cleared. Committee deliberated.

Resolved, "That the vote was a bad vote."

Parties called in and informed thereof.

ON THE VOTE OF GEORGE MILLS THE YOUNGER.

(No. 323 on the Register; voted for Mr. STEUART.)

Mr. *Power* was heard to state the case against the validity of the vote.

Robert Rutter, sworn, and examined by Mr. *James*; cross-examined by Mr. *Cooke*.

Edmund Foster, sworn, and examined by Mr. *Power*; cross-examined by Mr. *Cooke*.

Mr. *James* stated that this was the case against the vote.

Mr. *Cooke* stated that he should at once call evidence in support of the vote.

George Mill, sworn, and examined by Mr. *Cooke*; cross-examined by Mr. *James*; re-examined by Mr. *Slade*.

Frederick Barlow, examined by Mr. *Cooke*; cross-examined by Mr. *James*.

Mr. *Slade* was heard in support of the validity of the vote.

Mr. *Edwin James* was heard to sum up the case against the validity of the vote.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 30° *die Junii*, 1857.

MEMBERS' Names called over; all present.

Room cleared. Committee deliberated.

Resolved, "That the vote is a bad vote."

Parties called in and informed of the decision of the Committee.

ON THE VOTE OF JAPHET EDWARDS.

(No. 1741 on the Register; voted for Mr. STEUART.)

Mr. *Edwin James* was heard to state the case against the validity of the vote.

James Martin, sworn, and examined by Mr. *Power*; cross-examined by Mr. *Slade*; re-examined by Mr. *James*.

Ordered, "That Andrew Young and Elizabeth Papworth do attend the Committee, and produce, on Wednesday, July 1st, all day-books, ledgers, and books of account, containing entries of the account between the said Andrew Young and Elizabeth Papworth, and that George Rayment do attend forthwith."

Edward Sanderson, sworn, and examined by Mr. *James*; cross-examined by Mr. *Slade*; re-examined by Mr. *James*.

George Rayment, sworn, and examined by Mr. *Power*; cross-examined by Mr. *Slade*; re-examined by Mr. *James*.

Japhet Edwards, sworn, and examined by Mr. *James*; cross-examined by Mr. *Slade*.

Japhet Edwards, jun., sworn, and examined by Mr. *James*; cross-examined by Mr. *Slade*.

Mr. *James* stated that this was the evidence against the validity of the vote; and was heard to sum up the case.

Mr. *Slade* was heard in support of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a good vote."

Parties called in and informed of the resolution of the Committee.

Mr. *Coleridge* stated that he had no more cases in Classes 1 and 2, and would proceed to Class 3, coming under 6 Vict. c. 18. (Ground of objection, non-residence.)

ON THE VOTE OF FREDERICK NICHOLSON.

(No. 1228 on the Register; voted for Mr. STEUART.)

Mr. *Coleridge* stated the case against the validity of the vote.

Mr. *Eaden*, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Coleridge*.

Robert Peters, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Cooke*.

Mr. *Coleridge* stated that this was his case.

Mr. *Cooke* was heard in support of the validity of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a bad vote."

Parties called in and informed of the decision of the Committee.

ON THE VOTE OF ALFRED LYON.

(No. 118 on the Register; voted for Mr. STEUART.)

Henry Lynn, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

Matilda Cowen, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*.

Mr *Power* was heard to sum up the case against the validity of the vote.

Mr. *Slade* was heard in support of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a good vote."

Parties called in and informed of the decision of the Committee.

[Adjourned till To-morrow, at Twe ve o'clock.

Mercurii, 1° *die Julii*, 1857.

MEMBERS' Names called over; present, Mr. Deasy, Viscount Melgund, Mr. Lockhart, Mr. Wyvill.

A Letter from Edward Headland, Surgeon, verified upon oath before Joseph Prior, the Mayor of Woodstock, read, stating that the Duke of Marlborough was alarmingly ill, and that it was absolutely necessary that the Marquis of Blandford should remain with his father.

A Letter read from the Marquis of Blandford, stating that his father's death had subsequently taken place.

Ordered, To report the absence of the Marquis of Blandford, and the cause of such absence, to the House.

Ordered, That the Chairman do move the House to discharge the Marquis of Blandford from further attendance on the Committee.

[Adjourned till half-past One, this day.

At half-past One the Committee again met.

Members present, Mr. Deasy, Viscount Melgund, Mr. Lockhart, Mr. Wyvill.

Order of the House read, discharging the Marquis of Blandford from further attendance on the Committee.

ON THE VOTE OF GEORGE MADDISON.

(No. 1508 on the Register; voted for Mr. STEUART.)

Mr. *Power* stated the case against the validity of the vote on the ground of the heads of objection stated in Class 3 (Non-residence).

Samuel Buckhutt, sworn, and examined by Mr. *Power*; cross-examined by Mr. *Slade*.

Mr. *Power* was heard to sum up the case.

Mr. *Slade* was heard in support of the validity of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a good vote."

Parties called in and informed thereof.

ON THE VOTE OF WILLIAM BAVEY (Non-residence).

(No. 1362 on the Register; voted for Mr. STEUART.)

William Bavey, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

Mr. *Coleridge* summed up the case.

Mr. *Slade* was heard in support of the validity of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a bad vote."

Parties called in and informed thereof.

ON THE VOTE OF WILLIAM HENRY LAWRENCE (Non-residence).

(No. 1295 on the Register; voted for Mr. STEUART.)

Robert Peters, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

William Henry Lawrence, sworn, and examined by Mr. *Coleridge*.

Mr. *Slade* stated that he would not defend the validity of the vote.

Resolved, "That the vote is a bad vote."

Mr *Power* made an application that the Committee would reconsider the case of George Maddison, on the ground that he had further evidence to offer.

Mr. *Slade* was heard against the application.

Mr. *Power* was heard in reply.

Room cleared.

Resolved, "That the Committee would not reconsider the case."

ON THE VOTE OF WILLIAM GAYLOR (Non-residence).

(No. 1134 on the Register; voted for Mr. STEUART.)

John Eaden, sworn; but was not examined.

William Gaylor, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

Mr. *Slade* made an application for leave to further examine the Witness.

Application granted.

The Witness further examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

John Eaden, examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*.

Mr. *Robert Peters*, examined by Mr. *Coleridge*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Coleridge*.

Mr. *Coleridge* summed up the case against the validity of the vote.

Mr. *Slade* was heard in support of the vote.

Room cleared. Committee deliberated.

Question, "That the vote is a good vote," put. Committee divided:

Ayes, 1.	Noes, 3.
Mr. Lockhart.	Mr. Deasy.
	Lord Melgund.
	Mr. Wyvill.

Parties called in, and informed of the decision of the Committee.

Ordered, "That Robert Henry Smith do attend the Committee on the 2d of July, and produce the rate-books of the parish of St. Michael, in the borough of Cambridge; and that *John Webb* and *William Silk* do attend the Committee on the 2d of July."

[Adjourned to To-morrow, at Eleven o'clock.

Veneris, 2° die Julii, 1857.

MEMBERS' Names called over; all present.

Mr. *Cooke* proceeded to impugn the votes given on behalf of Colonel Adair.

ON THE VOTE OF ROBERT BEART (ground of objection, Non-residence).

(No. 471 on the Register; voted for Colonel ADAIR).

Robert Beart, sworn.

Mr. *Power* was heard to take an objection to this case being gone into, on the ground that if the Committee were to inquire into the qualification of this voter, they will exceed the powers given them by the 6 Vict. c. 18, s. 98, inasmuch as it was a case that should have been brought before the revising barrister.

Mr. *Cooke* was heard in answer to the objection.

Mr. *Power* was heard in reply.

Room cleared. Committee deliberated.

Parties called in. Mr. *Cooke* was called upon to produce any evidence he might have to prove that this case had been brought before the revising barrister.

Charles Henry Cooper, sworn.

Mr. *Power* was heard to object to Mr. Cooper giving evidence on this point, inasmuch as Robert Beart's name was not included in Class 3 of voters objected to on the ground that his name had been improperly registered, or retained on, or inserted upon the Register by the decision of the revising barrister.

Mr. *Slade* heard against the objection.

Resolved, "That the Committee would not hear evidence upon this point."

The Committee resolved to adjourn further hearing of this case until to-morrow.

ON THE VOTE OF WILLIAM BANHAM (ground of objection, Non-residence).

(No. 459 on the Register; voted for Colonel ADAIR.)

Daniel Banham, sworn, and examined by Mr. *Cooke*; cross-examined by Mr. *Coleridge*; re-examined by Mr. *Cooke*.

Resolved, "That the vote is a bad vote."

ON THE VOTE OF GEORGE PRYME (ground of objection, Non-residence).

(No. 1821 on the Register; voted for Colonel ADAIR.)

Robert Ellis, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Coleridge*; re-examined by Mr. *Cooke*.

Foreman Biggs Smith, sworn; examined by Mr. *Cooke*.

Resolved, "That the vote is a good vote."

ON THE VOTE OF WILLIAM HENRY NUTT.

(No. 760 and 1573 on the Register. Ground of objection that he had voted twice for Colonel ADAIR.)

Mr. *Cooke* stated the case against the validity of the vote.

George Henry Bays, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Coleridge*; re-examined by Mr. *Slade*.

William Todd, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Coleridge*; re-examined by Mr. *Slade*.

Frederick Barlow, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Coleridge*.

Resolved, "That it is proved that William Henry Nutt had voted twice, and that one vote was a bad vote."

The Sitting Member being now in the majority of one, the Petitioner's counsel were called upon to impugn the votes given on behalf of Mr. Steuart, the Sitting Member.

ON THE VOTE OF CHARLES BEVILL (objected to on the ground of Non-residence).

(No. 485 on the Register; voted for Mr. STEUART.)

John Eaden, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

William Waters, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

Mr. *Coleridge* was heard to sum up the case against the validity of the vote.

Mr. *Slade* was heard in support of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a bad vote."

Parties called in, and informed of the decision of the Committee.

ON THE VOTE OF GEORGE BELL.

(No. 1542 on the Register; voted for Mr. STEUART.)

Mr. *Coleridge* applied to the Committee to adjourn the case of this vote, and that of Robert Peach Palmer, also objected to under Class 3, inasmuch as the decision postponed in the case of Robert Beart would govern these cases.

Application agreed to.

Mr. *Coleridge* proceeded to Class 4 of objections.

ON THE VOTE OF BRADBURY LAST.

(No. 108 on the Register; voted for Mr. STEUART.)

Mr. *Cooke* consented that this vote should be struck off the poll.

Vote struck off.

The Petitioner being now in a majority of one, Mr. *Slade* was called upon to impugn the vote given in favour of the Petitioner.

ON THE VOTE OF BENJAMIN CROUCH.

(No. 1728 on the Register; voted for Colonel ADAIR.)

Mr. *Coleridge* consented that this vote should be struck off the poll.

Vote struck off.

ON THE VOTE OF ROBERT MOORE.

(No. 1303 on the Register.)

Mr. *Slade* was heard to contend that this vote should be added to the poll in favour of Mr. Steuart, on the ground that Robert Moore had tendered his vote for Messrs. Macaulay and Steuart, and the former of these votes only had been recorded by the Mayor or his officer.

Robert Moore, sworn, and examined by Mr. *Cooke*; cross-examined by Mr. *Coleridge*; re-examined by Mr. *Cooke*.

William Cannon, sworn, and examined by Mr. *Naylor*; cross-examined by Mr. *Coleridge*; re-examined by Mr. *Cooke*.

Charles Ball, called. Mr. *Coleridge* objected to his being examined, on the ground that he had been in the room during the proceedings of the Committee.

The Committee resolved that he should not be examined.

Charles Moore, sworn, and examined by Mr. *Cooke*. On the question being put, "Did you ask him how he voted"? Mr. *Coleridge* objected to the question.

Resolved, "That the question should not be put."

The Witness ordered to withdraw.

Mr. *Coleridge* was heard to contend that the vote ought not to be added to the poll of Mr. Steuart.

[Adjourned to To-morrow, at Eleven o'clock.

Veneris, 3° die Julii, 1857.

MEMBERS' names called over; all present.

William Henry Jarrold, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Coleridge*.

Joseph Mutton, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Coleridge*.

Alfred Darby, sworn, and examined by Mr. *Coleridge*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Coleridge*.

Mr. *Coleridge* was heard to sum up the case against the vote being added to the poll of the Sitting Member.

Mr. *Cooke* was heard in reply.

Robert Moore, sworn, and examined by the Committee.

William Cannon, sworn, and examined by the Committee.

Room cleared. Committee deliberated.

Question, "That the vote be added to the poll," put. Committee divided:

Ayes, 2.	Noes, 2.
Mr. Deasy, Chairman.	Lord Melgund.
Mr. Wyvill.	Mr. Lockhart.

The

Whereupon the Chairman gave his casting vote with the Ayes.

Resolved, "That the vote be added to the poll."

The Committee then considered the adjourned case of *Robert Beart*.

Motion and question proposed (the Chairman), "That the Committee will not entertain an objection to a vote, on the ground of non-residence, unless it be proved to them that a change of residence had taken place since the 31st July 1856, or unless it be proved to them that the vote was specially retained on, or expunged from, or inserted in the list by the express decision of the revising barrister." Question put. Committee divided:

Ayes, 3.	Noe, 1.
Mr. Deasy.	Mr. Lockhart.
Mr. Wyvill.	
Lord Melgund.	

Resolution agreed to.

Question, "That the vote of *Robert Beart* is a good vote," put, and agreed to.

ON THE VOTE OF THOMAS POTTER AMEY.

(No. 2 on the Register; voted for Mr. STEUART.)

Mr. *Coleridge* was heard to state the case against the validity of the vote (objected to under the heads of objection stated in Class 11; vote not given at the proper polling-booth.)

John Eaden, sworn, and examined by Mr. *Power*.

Mr. *Power* summed up the case.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 4° die Julii, 1857.

MEMBERS' Names called over; all present.

Mr. *Cooke* was heard in support of the validity of the vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a good vote."

Parties called in and informed of the decision of the Committee.

Mr. *Coleridge* proposed to add the name of Robert Youngman to the poll of Colonel Adair.

Mr. *Slade* was heard to object that this case could not be heard, inasmuch as the voter's name was not included in the lists, as under 11 & 12 Vict. c. 98, ss. 55, 74.

Mr. *Coleridge* was heard against the objection.

Mr. *Slade* in reply.

Room cleared. Committee deliberated.

Question, "That the claim be entertained," put. Committee divided:

Ayes, 3.	Noe, 1.
Mr. Deasy.	Mr. Lockhart.
Lord Melgund.	
Mr. Wyvill.	

Parties called in and informed of the decision of the Committee.

ON THE CLAIM OF ROBERT YOUNGMAN TO HAVE HIS VOTE ADDED TO THE POLL.

(Tendered in favour of Colonel ADAIR.)

Robert Youngman, sworn; and examined by Mr. *Coleridge*.

Witness directed to withdraw.

Robert Peters, sworn; produced claim to vote of Robert Youngman, and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*.

Robert Youngman, called in; and further examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

Mr. *Coleridge* was proceeding to sum up the case for the claim, when Mr. *Slade* objected that the rating of Robert Youngman had not been proved.

Robert Fuller, sworn; and examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*.

Robert Peters, further examined by the Committee.

Mr. *Coleridge* was heard to sum up the case.

Mr. *Slade* was heard against the claim.

Room cleared. Committee deliberated.

Question, "That the vote is a good vote, and be added to the poll," put, and negatived.

Parties called in and informed of the decision of the Committee.

ON THE VOTE OF JOHN PAYNE.

(No. 1418 on the Register; voted for Mr. STEUART.)

Objected to, under Classes 5, 6, 7.

Mr. *Coleridge* was heard to state the case against the validity of the vote.

Robert Peters, examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

John Fuller, examined by Mr. *Coleridge*; cross-examined by Mr. *Slade*; re-examined by Mr. *Coleridge*.

George Samuel Hall, sworn, and examined by Mr. *Coleridge*.

On the question being put, "Is that an entry of the payment of money by John Payne, the voter?" Mr. *Slade* objected to the question.

Mr. *Coleridge* heard in answer to the objection.

Mr. *Slade* in reply.

The Committee resolved that the question could not be put.

Mr. *Coleridge* summed up the case against the validity of the vote.

Mr. *Slade* was heard in support of his vote.

Room cleared. Committee deliberated.

Resolved, "That the vote is a good vote."

Parties called in and informed of the decision of the Committee.

Mr. *Coleridge* stated that he had no more votes to impugn.

The Sitting Member being in a majority of one, the room was cleared. The Committee deliberated, and

Resolved, 1. "That Andrew Steuart, Esq., is duly elected to serve in the present Parliament as a burgess for the borough of Cambridge.

2. "That John Halsey, Richard Stamford, and George Mills the younger, had, after the said Election, received money on account of having voted at the said Election, but that such money was so received without the knowledge or consent of the Sitting Member or his agents."

The

The Committee agreed further to Report to the House, That they had altered the state of the poll, by striking off the names of the aforesaid John Halsey, Richard Stamford, and George Mills the younger, on the ground aforesaid; and by striking off the names of Frederick Nicholson, William Bavey, William Henry Lawrence, William Gaylor, William Banham, Charles Bevill, Bradbury Last, and Benjamin Crouch, as not having had a right to vote at the last Election for the borough; and had also altered the poll, by striking off the name of William Henry Nutt (No. 1573 on the Register), such voter having also voted at the same Election in respect of the qualification No. 760 on the Register; and had also added to the votes given to Andrew Steuart, Esq., the vote of Robert Moore, whose name appears on the poll as having only voted for Kenneth Macaulay, Esq."

Ordered, to Report.

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MINUTES OF EVIDENCE.

Jovis, 25° *die Junii*, 1857.

MEMBERS PRESENT.

Marquis of Blandford.	Viscount Melgund.
Mr. Deasy.	Mr. Wyvill.
Mr. Lockhart.	

RICHARD DEASY, Esq. IN THE CHAIR.

25 June 1857.

THE room was cleared.

After some time, Counsel, Agents, and Parties were called in, and informed of certain resolutions to which the Committee had come regarding the conduct of the case.

The Petition of Robert Alexander Shafto Adair, complaining of the last Election for the Borough of Cambridge, was read.

Mr. *Edwin James*, Mr. *Power*, and Mr. *Coleridge* appeared as Counsel for the Petition.

Mr. *Coppock*, Mr. *Eaden*, and Mr. *Cockerel*, appeared as Agents.

Mr. *Slade* and Mr. *Naylor* appeared as Counsel for the Sitting Member.

Messrs. *Baxter, Rose, & Norton*, and Mr. *Barlow*, appeared as Agents.

Mr. *James Richard Naylor* was called in; and, having been sworn, was Examined by Mr. *Coleridge*, as follows:

Mr. *J. R. Naylor.*

1. ARE you Clerk of the Crown?—Yes.
2. Do you produce from the Crown Office the writ and return for the last election for the borough of Cambridge?—Yes, I do, and the return made by the Mayor.
3. To the writ?—Yes (*producing the same*).

Cross-examined by Mr. *Slade.*

4. I suppose they came to you by post in the ordinary course?—Yes.
5. Sealed?—Yes; there are the seals.
6. Are they now in the same state as when you received them?—No; they have been opened and registered; that is the only difference.
7. With that exception, they are in the same state?—Yes.
8. Is it usual to open them and register them?—Yes.
9. What is the object of registering them?—The Act which gives the Clerk of the Crown the custody requires that he should register them on their receipt.

[The Witness was directed to withdraw.

Mr. *Edmund Foster* was called in; and, having been sworn, was Examined, as follows:

Mr. *E. Foster.*
25 June 1857.

10. DID you act as election auditor at the last election?—I did.

11. You had a Speaker's warrant requiring you to produce all your papers?—I had; these are the papers (*producing the same*).

12. Who acted as election agent on behalf of Mr. Steuart?—Mr. Frederick Barlow.

13. Have you his appointment?—Yes. (*The same was handed to the learned Counsel.*)

14. Do you know Mr. Steuart's handwriting?—No.

15. Who gave this to you?—Mr. Barlow.

Mr. *Slade* stated that there was one regular way of proving handwriting, and that his learned friend should do that in the legal way.

The *Chairman* stated that the handwriting must be proved.

Mr. *Power* stated that he should be in a situation to prove the handwriting.

16. Mr. *Power* (to the *Witness*).] Do you produce the bills which were sent in to you for payment?—I do.

Mr. *Slade* submitted that the first step to be taken by his learned friend was to prove the nomination of election agent under the provisions of this statute, the acts of which agent unquestionably would be binding upon the Sitting Member.

The *Chairman* stated that the Committee did not know yet what the document was.

17. Mr. *Power.*] Do you produce the bill of Messrs. Baxter, Rose & Norton?—I do (*producing the same*).

18. I believe that is Mr. Rose (*pointing to a gentleman*)?—I cannot say.

19. You have a bill of Mr. Barlow's, have you not?—I have (*producing the same*).

20. Have you any other bills of Mr. Barlow's?—Yes, I have.

21. Just find out all his bills?—I rather think that is all (*handing another account to the learned Counsel*).

22. Did he deliver those bills to you personally?—Yes.

23. What did he say at the time he delivered them?—

Mr. *Slade* objected to the question.

Mr. *Power* submitted that he was entitled to what any person said at the time an act was done.

The *Chairman* stated that the Committee were of opinion that the learned Counsel should first, before he gave in evidence the declaration of Mr. Barlow, prove that he was appointed election agent under the statute.

Mr. *Power* inquired whether the Committee thought that this case differed from any other case, such as that of an overseer or a churchwarden, where the appointment was inferred from the acts done; that he proposed to give evidence of those different bills, and then showing that this gentleman, acting as election auditor, paid Mr. Barlow, and that the Committee would be satisfied that Mr. Barlow was acting as election agent.

The *Chairman* stated that the statute pointed out the particular mode of appointment in writing.

Frederick Barlow, Esq., was called in; and, having been sworn, was Examined by Mr. *Power*, as follows:

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24. IS that your appointment as agent for Mr. Steuart (*handing the same to the Witness*)?—It is.

Cross-examined

Cross-examined by Mr. *Slade.*

25. You were appointed Mr. Steuart's election agent?—I was.

26. For expenses?—Yes.

27. Had you the most express direction from Mr. Steuart that nothing but strictly legal expenses should be paid?—Certainly I had; from both, in fact.

28. I believe Mr. Macaulay, the other Sitting Member, is the eminent Queen's Counsel?—Yes.

29. Your orders were, that nothing but strictly legal expenses should be paid?—Exactly.

30. Did you take every precaution in your power to guard yourself, so that nothing but legal expenses should be incurred, and nothing but strictly legal expenses should be paid?—I did.

Mr. *Power* objected to the course of the examination.

Mr. *Slade* submitted that he should have had a right to ask these questions if the witness had been his own witness, and *a fortiori* he had a right now.

Mr. *Power* was heard in reply.

The *Chairman* stated, that the Committee could not regard this witness as an adverse witness, and that Mr. Slade should confine himself within the same rules as if he had called him himself.

31. Mr. *Slade* (to the *Witness*).] What steps did you take to ascertain how far it would be legal to pay travelling expenses?—I took the opinion of Mr. Montague Smith.

The *Chairman* stated that the Committee thought that Mr. Slade could ask the witness what directions he received.

32. Mr. *Slade.*] Is Mr. Montague Smith one of Her Majesty's counsel?—Yes.

33. Mr. *Power.*] Was that opinion taken in writing?—Yes.

34. Is it here?—I do not know that it is, but it might be here in a moment.

35. I should like to see it.

36. Mr. *Slade.*] You shall have it. (To the *Witness.*) Did you act strictly within the opinion given by Mr. Montague Smith?

Mr. *Power* objected to the question until it was known what the opinion was.

The *Chairman* stated that the Committee ought to see the opinion before the question could be put.

37. Mr. *Slade.*] It has been stated that 74 messengers were employed by you?—I believe somewhere thereabout.

38. Was that number absolutely necessary?—I considered them so; we had difficulties.

39. Acting on the best of your judgment, for the interest of your employers, you considered that 74 were absolutely necessary for the purposes of the election?—Certainly I did; indeed they wanted more.

40. Is it a fact that Mr. Macaulay and Mr. Steuart were somewhat late in the field?—Four days, I think.

41. My friend Colonel Adair had got a little the start of you?—They were canvassing three or four days before.

42. And it therefore became necessary to put on what we call a little more sail?—It did.

43. Were those messengers all employed by you without reference in any way whatever as to how they were going to vote?—I can only say that I did not know at the time they were put on that any one was a voter; not one that I know of, except on the very last day; it was an express and hurried affair; the messengers were all gone out, and I wanted another, and I seized hold of a person, and asked him if he would act as messenger. He happened to be a voter who had voted, which I did not know at the time.

44. With that exception, had you any reason to believe that any one of those 74 were voters, or connected with voters?—Certainly not; I did not know that one was a voter when I employed him.

 45. I need

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45. I need not ask you whether you employed them with a view to influence their votes?—Certainly not.

46. Did you employ the man whom you say you employed on the last day with a view to reward him for having voted?—Certainly not; for I did not know that he had voted.

47. Do you know how many messengers my learned friend has stated that there were 32 employed on the part of Colonel Adair; was he acting in collusion with the other gentleman, Mr. Hibbert?—I can hardly answer that.

48. Was it Mr. Adair and Mr. Hibbert?—Yes, no doubt.

49. Had Mr. Hibbert any other committee-room?—They had the same committee-room.

50. And the same messengers?—I really cannot speak to that.

51. Seventy-four represented the messengers for Messrs. Macaulay and Steuart?—Yes.

52. Do you know how many of Colonel Adair's messengers were voters, or relatives of voters?—I think there are three voters; there are several who are relations of voters; at least I can hardly say that, for I am so ignorant of those parties; I was only told so, therefore I cannot say that there are several persons who are relations.

53. Did you yourself ever pay a voter for travelling expenses; or give him an order?—I have given him an order upon the election auditor.

54. Did you take every means in your power to ascertain that they had been paid, or give them an order for payment of money actually out of pocket?—Every one of those that I paid I impressed upon him the necessity of not charging one single sixpence more than he actually paid, and would be sufficient to take him back again. I explained to him that if he did so it might jeopardise the election. I wished them not to pay one single sixpence more than the money they believed to be paid. On one occasion I sent a party to the Red Lion to ascertain their railway fares.

55. Those were parties who had an order for payment after they had voted?—Yes.

56. Did you, upon paying, or giving an order for payment of travelling expenses to any voter, intend thereby in any way——

Mr. *Power* objected to the question.

The question was waived.

57. By the *Committee.*] You stated that on the day of election one of the messengers employed by you was a voter?—Yes.

58. Did you know that he was a voter at the time that you engaged him?—Yes, I did know that he was a voter at the time; I wanted a message sent off very quickly, and I went out of the committee-room on Parker's Piece, and I could not find one messenger. This man was there, and I said, "Will you act for me, and run with this message?" and he did. I said, "Will you also act as messenger for the rest of the day?" and he did; and I paid him.

59. Were you aware, at the time, whether he had voted?—No, I was not aware whether he had voted or had not.

60. Did you have any communication with him before, as to the vote that he was going to give?—Certainly not; it was only on that occasion that I spoke to him.

61. Was there any promise on your part as to payment at the time of engaging him?—Not the slightest; not to any of them. I never told them what they were to have; I agreed with the other side what they were to have.

62. Did you speak about his voting?—Not a word; it was done in a moment. I had arranged in Mr. Adair's committee-room with Mr. Cockerell and Mr. Eaden what we should pay to our messengers, so that one should not pay more than another. I went down to their committee-room to arrange the sum that should be paid to the messengers per day, and on the polling day, and I paid exactly the same as they did.

63. You said that you paid the voters' travelling expenses after they had voted?—I presume it was after; generally speaking, it was some days after; a day or two after the election; one or two were paid in the committee-room after they had polled, but the others were paid, I should think, two or three days after; but the dates of my orders will tell that.

Re-examined

Re-examined by Mr. *Power*.

64. You were the agent?—Yes.

65. I believe the costs of the election amounted to nearly 900*l.*?—£. 810, I think.

66. And the other side under 500*l.*?—The other side is 470*l.*, I think.

67. When did you begin to act as agent?—I began to act as agent on the Saturday fortnight, I think it was, before the election.

Mr. *Slade* submitted that this examination did not arise out of his cross-examination.

The *Chairman* stated that Mr. Power might be allowed to re-examine the witness upon anything arising out of the cross-examination.

68. Mr. *Power*.] When were Messrs. Baxter, Rose, & Norton employed first?—I cannot tell you; I never knew that they were employed till I received their bill after the election.

69. It was unknown to you?—Yes; I did not write the letter.

70. Was their bill sent to you?—Certainly.

71. Was that after the election?—Yes.

72. Mr. *Slade*.] Let me see it?—(*It was handed in to the learned Counsel.*)

73. Mr. *Power*.] You say that you paid or gave orders upon the election auditor to pay several of those persons their travelling expenses?—Yes.

74. Did they come to you?—Yes; one or two of them, or three, I am sure I cannot tell, but the date of the order will tell that; they were paid in the committee-room on the day of election; all the rest were paid at my office some days afterwards.

75. Was the general payment of those travelling expenses with regard to those voters made by you until you had ascertained that they had voted?—I never ascertained that any one of them had voted.

76. Do you swear that?—Most solemnly; they merely came and asked for those expenses, and I paid them.

77. Was that in the committee-room?—Yes; and in my office, too.

78. Were there persons engaged in the committee-room taking the poll and checking the register?—Yes, there were.

79. Do you mean to say that you did not know that those persons voted for you?—I say most solemnly, on my oath, that I did not know whether they had voted or not.

80. Do you mean to say that you would have paid those travelling expenses, supposing that they had voted on the other side?—When they came themselves and demanded the money, I only knew from their own mouths; they said, "I have voted;" I did not know that they had voted; but they said, "I have come for my money, for I must go back again."

81. Did they not say, "I have voted for Mr. Macaulay and Mr. Steuart, and I have come for my money"?—No, certainly not; "I have voted" was what they said; they did not say so.

82. I ask you, upon your oath, did you not perfectly well know at the time you gave the order to these men upon the election auditor that they had voted for Mr. Steuart?—I certainly did not; most solemnly I swear that.

83. Do you mean to say that if those voters had voted in favour of Mr. Adair you would have given any order upon the election auditor?—Certainly I should; most certainly.

84. Do you mean to represent, that if any voter in Cambridge had come and said that he had voted, you would have given him an order upon the election auditor?—I knew the names of all the persons whom it related to; if any of those had come and said he had voted for Mr. Adair I should have paid his expenses; I felt bound to pay the expenses, and so I told them in the letters.

85. Have you the letters here?—No.

86. Were those letters sent out to the persons who you expected might vote for the persons in your interest?—No doubt of it.

87. Therefore you knew, when a man came up, that he was a person to whom you had written such a letter, and therefore you paid him?—Yes.

88. Were there those in the committee who had the means of seeing how the man had voted?—I should think so.

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89. Who was present?—I cannot tell; 30 or 40 people of every description; some went in and out of the committee-room, and there was bustle and noise going on.

90. Was it the committee-room?—It was what is called a committee-room; anybody's room for the same party; there was no what I call regular committee-room.

91. There were persons there who had taken the poll, and copied the register, and checked off in the usual way those who had voted?—No; there was another room up-stairs where the registers were hung along the walls, and the clerks there were marking them off along the walls. In the lower room, what you call the committee-room, there were two or three gentlemen marking off the cards, which were headed with the different initials, and marking off how many had voted in the total number of each card, and when those were marked off, the cards were sent up again to the other room to be marked off the register, so that in fact I could not tell in any way who voted from those cards, and the committee down stairs could not tell; the cards were ruled, and headed "Macaulay and Steuart—Adair—Hibbert:" and then no names were given, only the numbers on the register; then they were crossed in the cards as they voted, and no one in that room could have told who were the parties who voted, except by a reference to the number on the register, when those parties had marked them off to keep up the state of the poll. The total numbers on the cards then were taken by messengers up to the upper room to mark them off the register.

92. Then the numbers were sent up-stairs, and then the register was corrected?—The cards were sent up-stairs.

93. How many voters did you send out this letter of invitation to?—I really cannot tell you that; I cannot tell you that at all; there might have been perhaps nine or ten; I did not actually send them out.

94. You told the Committee that you knew they were sent off?—Yes.

95. How many?—I should think there might have been ten or twelve.

96. Had you in your mind the names of those to whom they were sent out?—No doubt about the matter.

97. When you saw a man come, and give you his name, and he said that he had voted, you gave him an order upon the election auditor?—Yes, most of them had promised before those letters were sent.

98. With reference to those persons who were employed as messengers, who put them on?—I did.

99. How came they to come to you?—It was done in this way; many persons applied personally; I had two or three sheets of foolscap paper, and I put their names down as they applied. A great many persons sent me letters of recommendation, and I put their names down on the list, too, and as I wanted any number day by day, I picked out, from information that I had received from people who knew more about the town, more active parties, and able to give me better information. I picked out those parties from a list of 156 or 200; I did that from information that I got from other persons.

100. Was Joseph Pryke one?—Yes, one of the very first.

101. Was he a voter?—Yes.

102. Did you know him as a voter?—Yes, I knew him by sight.

103. You had the register; did you not know that he was a voter?—I swear that I did not; not one of them.

104. Had you not the least conception during the time?—After some time, no doubt I did; but not when I appointed him.

105. Before he polled?—Yes, long before he polled.

106. Do you mean to say that you did not know perfectly well, at the time that Joseph Pryke was appointed, that he was a voter?—Most assuredly I do. I did not know.

107. Who was cognisant of his appointment besides yourself?—I cannot tell you that.

108. Did it come before the committee?—No, there was no such thing as a committee for it to come before. We had no regular committee. I did it as I thought proper. I appointed solely. I never applied to the committee whether I should appoint those men or not.

109. Was there a committee?—There was a committee, which there has been for some time, not specially appointed for this election, but a standing committee.

110. Was

110. Was there a committee?—Yes.

111. Where did it sit?—At the committee-room at the Eagle.

112. At that committee-room at the Eagle do you mean to say that the names of those who were employed as messengers by you were not known?—I do not believe that any one of them was known at the time.

113. At the time that they were appointed?—Certainly not. I appointed them myself entirely; every one of them, and the clerks too.

114. You did not know that Joseph Pryke was a voter when you appointed him?—Certainly not.

115. Was Edward Pilson a messenger?—Yes.

116. When was he appointed; how many days was he on; was he a voter?—Yes.

117. When did you first ascertain this?—I cannot say when; but I will swear that every one of the parties——

118. How long have you lived in Cambridge?—Ever since 1828.

119. In how many election contests have you been engaged?—I have not been engaged as agent at any election till this.

120. How many contests have you taken part in as a private person?—Several, up to the year when Mr. Manners Sutton was turned out for Cambridge, in 1847, I think.

121. Did you not know that Edward Pilson was a voter?—No.

122. Upon whose recommendation did you appoint these men?—I cannot tell you. I received many letters recommending parties.

123. From persons in your interest?—Of course they were. Those letters, as soon as I received them, were thrown down, and I put the names down on paper. I did not take them from those letters, but afterwards from the recommendations of different persons. When I wanted a trustworthy messenger, I asked some person, and they told me.

124. Is Moses Walters a voter?—Yes.

125. Was he ever employed as a messenger?—Yes.

126. How many days was he employed?—I cannot tell you; it may be five or six days.

127. Did you know that he was a voter at the time?—No, I did not.

128. Was David Bunting a messenger?—Yes; he was my next door neighbour, but I did not know that he was a voter.

129. Did you not ask him?—I did, three or four days afterwards, and looking into the register, by a book that I had at the last two elections, to see how it was on the register, and the persons that voted, I saw Bunting's name, and it struck me that it was this very man; and I went out of the committee-room, and I said, "Bunting, I think you are a voter," and he said, "I am." I said, "You will vote for us." He said, "Certainly, I shall." But he had been my messenger three or four days before that.

130. He was your next door neighbour?—Yes.

131. Is he a 10 *l.* householder?—I should think he was a 15 *l.* or 20 *l.* householder.

132. How long has he been residing as your next door neighbour?—I cannot tell you.

133. A year?—I do not think he had resided there a year when I put him on, though he was my next door neighbour.

134. Did you not know that he was residing there?—Yes. But if you asked me, I could not tell you the names of half-a-dozen men in my street.

135. Did you not know at the time that you appointed David Bunting as a messenger he was on the register as a 10 *l.* householder for Cambridge?—I will swear that I did not. I had not the least notion of it.

136. You never inquired of anybody?—I never inquired; if I had, I think there would have been more than 70 out of the 74.

137. Richard Stamford; was he a voter?—Yes.

138. When did you put him on?—I cannot tell you.

139. Did you not put him on on the day of the polling?—I really cannot tell you without referring to my book.

140. Turn to your book?—"Stamford, Richard;" he was appointed on the polling-day; one day messenger.

141. Was that before or after he had voted?—I think it was settled the night before.

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142. Did you know that he was a voter?—No.

143. Is he a voter?—He turned out to be such.

144. Who recommended him?—I cannot tell you.

145. Have you any means of telling me any better?—Not the slightest.

146. Have you any recollection about it?—Impossible.

147. Did Lawrence?—I cannot tell you; I have no more idea than you have yourself; not the slightest; I know that his name is on the list.

148. Thomas Hoppett?—That is a man that I employed on a sudden on the polling-day; I knew that he was a voter at the time.

149. Matthew Gray?—I did not know anything at all of him.

150. When did you appoint him?—He was appointed, I should think, on the Saturday night before the election; he was one day messenger.

151. Is he a voter?—I do not know whether he is or not without looking into the register; if it is in the list of objections, I can tell you.

Mr. *Slade* submitted that the proof of the man being a voter was the poll-book on the table.

Witness.] I find that he was a voter.

152. You swear that you did not know that he was a voter?—Yes I do; I had no notion of it at the time.

153. Will you tell the Committee how it became necessary that you had to employ 74 messengers?—I will tell you as well as I can; we were very late in the field, and a great deal had to be done on the polling-day. I think I had 29 carriages, and I appointed a messenger to each of those carriages, because I was informed that at the election previous, a great many of the voters had been lost for want of being brought up, in consequence of the flymen and drivers, instead of going back to their stations, stopping at the public-houses drinking; I therefore ordered that a messenger should be appointed to every one of those flys, to see that they were taken back to their proper places; that employed, I think, 29.

154. Were they exclusively appointed for that purpose?—Yes.

155. To be on every fly?—Yes; to go backwards and forwards with the flys; to assist a person out of the fly, and then to see that the fly went back to its proper place.

156. When were those 29 appointed?—All on the Saturday night prior to the election; some may have been employed with the flys, who had been before employed as messengers. I cannot say that all those persons that were appointed for the flys were actually the persons appointed on the Saturday night.

157. By the *Committee.*] What was the day of the polling?—On Monday.

158. Mr. *Power.*] Can you suggest any other employment for those twenty-nine persons on the polling-day?—Yes; it was to get off the fly to let people in, and let people out; to go to the poll with the fly; to go to the voters' houses with the fly, and when they got to the poll to let them out; in fact, acting like a servant, one to each carriage.

159. There were 29 carriages?—I think so.

160. Twenty-nine from 74 leaves 45; what were they about?—There were what we call local committees, if you like, in various parts of the town.

161. I thought you said that there was no committee?—There were gentlemen to whom I apportioned flys; I said to four or five gentlemen, "You will want three flys in one parish, and two flys in another parish; and, independently of that, they were obliged to have messengers to go backwards and forwards to the general committee-room with messages, and with cards, and with those sort of things.

162. How many of those committee-rooms were there?—Either four or five.

163. Do you mean to say that it was necessary to employ 45 messengers for running about?—No; we wanted a great many to our own.

164. I thought you said that you had no committee-room; was it the general committee-room at the Eagle?—No; we had committee-rooms on the polling-day; we hired a house on Parker's Piece.

165. Where were you?—I was in the lower room of that house.

166. I thought you said that when you paid the men their travelling expenses it was in this room, open to every one, at the Eagle?—The one on Parker's Piece, not the Eagle.

167. By

167. By the *Committee*.] Was that the same room as the one at the Eagle?—No; the committee-room was at the Eagle up to the Saturday night; and then, on the day of election, we had hired a house on Parker's Piece for convenience.

168. Mr. *Power*.] It was to all intents and purposes a committee-room strickly for yourselves?—Oh dear, no; you asked me about paying the expenses, and I told you the committee-room; I meant the committee-room in Parker's Piece.

169. Can you give the Committee any information as to the employment of those persons other than what you have already told them?—Yes; there were, I think, either four or five committee-rooms, places where gentlemen had undertaken to station themselves for the purpose of getting up voters, and they had three or four messengers appointed to each of them for their assistance, and the remainder were employed outside the general house in Parker's Piece, a great many; I should think there must have been 30 there, as it was the chief place; many of them were going about with the state of the poll on boards up and down the street.

170. How many with boards?—I should think four or five, or half a dozen.

171. Was not the number put up in each of these district committee-rooms?—No doubt; some of those messengers carried a board with the state of the poll.

172. Anything else?—I think that is about all the messengers.

173. Did you say that Mr. Steuart came into the field three or four days after Mr. Adair; is there any other reason why more messengers were required on our side than upon theirs?—I could suggest only in this way, that the party was always behindhand; all their things had to be done instead of being ready, as it always is; it had to be worked up very hard; and, when I say I was in that committee-room for 17 days from nine o'clock in the morning till 12 and one the next morning, without being from it one half hour, you will see what we had to do.

174. What were you doing?—Writing and giving orders, and attending to persons.

175. Do you mean to represent to the Committee that, being 17 days in that committee-room studying the election, you did not know that every one of those individuals at the time that you employed them had not the right to vote?—I never myself gave sufficient attention to make myself master of it; I can hardly say what I was doing; I was answering questions and attending to parties, and writing a great many letters.

176. You never looked at the register?—I did; as they brought in the canvassing-books I entered them; there was no one else to do it, so that I entered out of the canvassing-books into my general book.

177. I ask you again, it being your duty to check the register by the canvassing-books, do you mean to say that you did not know that every one of those seven persons were voters?—I mean to say that I did not; you asked me before whether I knew it at the time that I appointed them, and I say no.

178. Not even those that you appointed on the polling day?—There was but one, to my knowledge.

179. You have given us three that you appointed on the Saturday night?—Yes; I say to my knowledge.

180. Do you mean to say, with reference to those three, that you did not know at the time that they were voters?—At the time I certainly did not; I cannot even tell you whether they had given any promise or not; it is impossible for me to say such a thing, whether they had promised or whether they had not.

181. One word more with reference to those travelling expenses; Mr. Eaden, I believe, was the agent, and Mr. Cockerel on the other side?—Yes.

182. Did they not wait upon you with reference to the payment of the travelling expenses?—No, certainly not; I waited on them; not for that purpose.

183. Did they meet you?—I met them at their committee-room.

184. When?—I think on the Wednesday or Thursday before the election; it was when I went down to them by appointment to arrange what sum we should pay to our respective messengers and clerks; it was all done at the same time.

185. Did they not at that time tell you that Colonel Adair had resolved not to pay?—

Mr. *Slade* objected to the question.

Mr. *Power* stated that he was anxious to show what this witness's conduct had been as to the travelling expenses; that he was the avowed agent of

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the Sitting Member; that it was as if the Sitting Member was there; that he wished to prove that Colonel Adair had directed his attention to the question of the travelling expenses, and had warned him against the consequences of paying travelling expenses; that his conduct afterwards was for the Committee to judge of.

Mr. *Slade* submitted that this could not affect the conduct of the Sitting Member.

The *Chairman* stated that the Committee were of opinion that they ought to hear the evidence which Mr. Power wished to offer.

186. Mr. *Power* (To the *Witness*).] Did not Mr. Eaden and Mr. Cockerel tell you that Colonel Adair had resolved not pay any travelling expenses?—Mr. Eaden and Mr. Cockerel asked me what I intended to do with reference to travelling expenses, and I said that I was not in a position to answer the question; they said, "If you do pay travelling expenses, Colonel Adair has made up his mind to petition against your return." These, I believe, were their words, word for word.

187. Before they said that, did they not say that Colonel Adair had resolved not to pay any travelling expenses?—I believe they did.

188. And if you did, he said he should petition against you?—Yes.

189. It was after you received that notice that you did pay those voters?—It was.

Cross-examined by Mr. *Slade*.

190. With your eyes quite open to the consequences, and taking Mr. Montague Smith's opinion as to whether it was legal or not?—Exactly.

191. You have been somewhat roughly examined; pray, are you clerk to the magistrates for one of the divisions of the county of Cambridge?—I am.

192. Are you clerk to the guardians of a very large union in that county?—Yes.

193. Are you also clerk to the feoffees of Addenbrook's Hospital?—Secretary to the governors.

194. Are you the county coroner?—Yes, I am.

195. Have you any other appointment of public trust?—No.

196. You say that up to the year 1847, the election in which Mr. Manners Sutton was unsuccessful, you had been engaged in elections?—Yes; not professionally engaged.

197. You have taken an interest in them?—Yes.

198. Between that time and the election of 1857, had you remained perfectly quiet in the borough?—Yes, except giving a quiet vote.

199. I suppose the consequence of that was that you were very ignorant of the voters?—Quite so, of that class of persons.

200. You said something which my learned friend did not pursue an inquiry about, with regard to calling upon Messrs. Eaden and Cockerel, at their request, by appointment at the committee-room, to arrange what sum you should respectively pay your messengers?—Yes.

201. Did you arrange what sum should be paid to the messengers respectively?—Yes.

202. Was it an honourable understanding between you that that should not be a ground of petition on either side?—Yes, it was; only it was before then, at a different time.

203. Were any of those men employed colourably?—Certainly not intentionally colourably, most certainly not.

204. Did they all do fair work for what they were paid?—I think they worked very hard indeed; they were at the committee-room, generally speaking, and at the day of polling.

205. How much did they receive?—Five shillings a day, and 7*s.* 6*d.* on the polling day.

206. I suppose on the polling day there was much harder work?—That was the arrangement by Messrs. Eaden and Cockerel made, who said it was what they had paid before at the last elections.

207. They were familiar with it and you were not?—I was not; otherwise, from my knowledge now, they should have sooner paid them 7*s.* 6*d.* for the other days, and 5*s.* for the polling day.

208. You

208. You think that they worked harder the other days?—A great deal.

209. With reference to those messengers, did you keep their names in your own private books?—They were on some foolscap paper, two or three sheets, and those that were put on the date was put by the side of the name, the 23d or the 24th; and out of a long list that I had of applications, I knew which names were appointed, and the days they were appointed.

210. Where was that kept?—It was kept in my book at the committee-room.

211. In your own custody?—Yes.

212. Had the committee any control over the appointments?—No one ever attended to it but myself; I did it all; whether by consent or not I do not know; no one interfered in it.

213. With reference to the payment of the parties' travelling expenses, or rather giving them orders, you gave orders for payment through the election auditor?—Yes, exactly.

214. You knew the parties who had been written to?—I did.

215. Do you say that there were nine, ten, or twelve?—I think somewhere about twelve.

216. Mr. *Power.*] How was the letter signed?—The chairman, Mr. Charles Balls, signed that letter to those parties, requesting their attendance to vote, and at the bottom, "Your fare will be paid."

217. Mr. *Slade.*] You say that you made no inquiry as they came to be paid who they had voted for, but you knew that they had voted?—Certainly not; I did not make any inquiry as to whether they had voted or not when they came up into the room; as I said before, I cannot say. Can you mention the three? There was a small number on the day of election that came into the committee-room and asked for their expenses, stating that they had voted, and I gave them their expenses.

218. Did you give those people an order, or did you hand them the money?—I gave them an order.

219. An order upon Mr. Foster, the auditor?—Exactly.

220. You say that you would have done that whether they had voted for Mr. Steuart or not?—To any one of those to whom Mr. Balls had sent letters, most assuredly, and I said that I held Mr. Balls liable.

Mr. *Slade* stated that the opinion of Mr. Montague Smith had arrived.

221. By the *Committee.*] You stated, I think, in the early part of your examination, that some of those parties who had voted, and whose expenses you paid subsequently to the election, were paid in the committee-room on the day of election, and that others were paid in your office afterwards?—Yes.

222. How long afterwards?—I can tell you the days; one was paid on the 8th of April.

223. How many days after the election?—The election was on the 30th of March, and he was paid on the 8th of April.

224. Have you any others?—Yes, I think I have. Shearman was paid on the 14th of April. The bill was brought for a horse and cart.

225. And did those parties receive an order for payment in person in your office?—The first one that I named did. The second one's wife came to be paid 15*s.* shortly after the election; two or three days after the election. I then refused it, unless she got her husband, who had gone back to Wearsley, to send a bill for it. It was a charge for a horse and cart. I said, "I have no proof that there was a horse and cart, therefore you must write to your husband, and direct him to send you a bill, and when that bill comes, I will give you an order for payment." On the 14th of April she brought me the bill, which I attached to my order.

226. With regard to the party that you paid on the 8th of April, was he the party that you had written to at the time?—He was one of the parties written to. I did not write the letters themselves. Mr. Balls, who was the chairman at the time, sent the letters.

227. Did he apply in person at your office?—Yes.

228. Had he been home during the interval?—I do not know, I am sure.

229. Can you inform the Committee where that person lived?—No. I have it down: "Railway and cab from Isleworth to Cambridge."

230. I want to know whether that person came to your office to be paid on the 8th of April; did he not incur additional expenses in coming to Cambridge to be paid?—

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paid?—He was living with his wife at Cambridge then, after he came from his working town. He staid with his wife in Cambridge.

231. Does his wife live in Cambridge?—Yes, I believe his wife and family live in Cambridge—John Halsey.

232. Did he reside in Cambridge subsequently to the day of the election, up to the 8th of April?—I really cannot speak to that.

233. Did what you paid him include his travelling expenses on the day of the election?—It was only to Cambridge, 13 *s.* 6 *d.*; not back again from Isleworth to Cambridge.

234. You, the agent, had paid him 13 *s.* 6 *d.* from Isleworth to Cambridge?—Yes.

235. That person lived with his wife in Cambridge from the day of the election to the 8th of April?—I do not know; I cannot speak to that.

236. You merely paid him 13 *s.* 6 *d.* from Isleworth to Cambridge?—That is all.

237. Is the man living at Cambridge now?—I believe so; I do not know where he lives.

238. By the *Committee.*] Was he a householder voter?—Yes, he must have been.

239. Are you aware whether he is resident in Cambridge at the present moment?—I do not know.

240. Have you had anything to do with the revision of the register?—Not personally; a clerk of mine did it last year; he got up the information upon it; he did not appear in court before the revising barrister. My senior clerk, with others of the town, got it up. There was a committee, of which I formed one, but I took very little part in it at all; very rarely attending it. There was a registration committee.

241. I suppose you were pretty well acquainted with the voters who would side with the Conservative candidate?—Indeed I think there are very few people in the town more ignorant of them than I.

242. Had you formed no estimate as to what number of voters you would get?—Only from the statement of others.

243. You had not endeavoured to tick off the voters from the register?—No; others had done that.

244. Had any of your clerks done that?—No clerk of mine; others had done it in the town; there was placed in my hands a statement of how they thought the party stood; I had no knowledge of it personally.

245. Was it in consequence of a resolution come to by the committee that the letter issued was signed by Mr. Balls?—No resolution whatever; it was done I believe entirely by Mr. Balls. The letter was written by some one, I do not know now who; I think it was Mr. Balls himself; and it was suggested by either me or another that it would be advisable to look at the case of Cooper and Slade beforehand, and I sent to my office for the volume, which I now have, for the express purpose; but I neither wrote one, nor did I sign one, to my knowledge.

246. Was Mr. Balls the chairman?—Yes.

247. Was it previously to that that the opinion of Mr. Montague Smith was taken?—I should think a week or 10 days; but it was taken previously.

248. Had Mr. Balls sent out this with your knowledge?—Yes, I knew of it.

249. The Committee understood you to state in your evidence that the letter sent out, signed by Mr. Balls, was an exact copy of what is here in the case of Cooper and Slade?—I sent for that book for the purpose; I do not know what the copy was; I never saw it; but I sent for that book for the purpose; nor did I ever write the letter; I know that the letters were sent.

250. Were they in print or manuscript?—In writing; they were copied, a few letters; but whether it is an exact copy of that I cannot swear, but I sent for that book for the purpose, and the letter was written and handed to the clerks to copy; and so many copies were made and sent off by that night's post; I never saw one myself.

251. Was this form followed; there is a postscript in this letter: "Your railway expenses will be paid"?—The book was sent for to see how it was done.

252. This postscript was put in the letters that you forwarded?—I have no doubt about it; but I never saw one; I could not be upon my oath.

253. You have no doubt it was the same as it is in this book?—I have no doubt about the matter; still I could not swear to it, as I did not see it.

254. Mr.

254. Mr. *Power.*] You say that you brought down the book for the express purpose of having it copied?—Yes. *F. Barlow*, Esq.

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[The Witness was directed to withdraw.

Edmond Foster, Esq., further Examined by Mr. *Power.*

255. You have produced, I think, Messrs. Baxter, Rose & Norton's bill for 4*l.* 2*s.* 6*d.*?—Yes. *E. Foster*, Esq.

256. Did you receive that: I see "I admit this bill. Frederic Barlow, for Macaulay and Steuart"?—Mr. Frederic Barlow himself brought it. I have that admission and receipt, and the order is, I think, to pay Mr. Barlow.

257. This is the bill: "K. Macaulay, Esq., Q. C., M. P., and Andrew Steuart, M. P. To Messrs. Baxter. Rose & Norton. 1857, March 30. Attending at Mr. Babey's, Coal Exchange Coffee-house, Thames-street, and arranging with him to proceed to Cambridge to vote for Macaulay and Steuart, and accompanying him to the Eastern Counties, paying for ticket, and handing same to him, 1*l.* 1*s.*; paid cab-hire and waiting, 7*s.* 6*d.*; paid railway fare, 12*s.*; attending at Acorn-street, Camberwell, thence to Bunhill-row, St. Luke's, to arrange for Mr. Lawrence proceeding to Cambridge to vote for Mr. Macaulay, when we found he had gone on to the Eastern Counties Station; attending there, paying for a ticket, and handing the same to him, 1*l.* 1*s.*; paid cab-hire, 9*s.*; railway fare, 12*s.*: total, 4*l.* 2*s.* 6*d.* I admit this Bill. Frederic Barlow, for Macaulay and Steuart." And annexed is the order, "Pay Messrs. Rose, Baxter & Norton 4*l.* 2*s.* 6*d.*, as per annexed cheque, Frederick Barlow, for Macaulay and Steuart"?—Yes, that is correct.

258. Here is another: "Professional attendance and services (240 hours), 24 days, and 10 hours per day, including three Sundays; and two clerks, each seven days; and subsequently examining, settling, and arranging accounts, attending the various parties, and drawing orders on the election auditor and clerks for payment thereof; telegraphic messages, &c., 150*l.*"

The *Chairman* inquired how Mr. Power intended to make this evidence.

Mr. *Power* submitted that it was to prove an act done by the agent, and that he had the admission under Mr. Barlow's hand.

The *Chairman* stated that the Committee were of opinion that Mr. Power was not entitled to make use of the bill upon the present question, and that it could not be received in evidence.

259. Mr. *Power* (To the *Witness*).] Among your accounts, have you got the account of Charles Harrison?—Yes (*producing the same.*) It is for 1*l.* 14*s.*

259*. By the *Committee.*] Is it signed by Mr. Barlow?—Yes.

260. Mr. *Power.*] "Please pay to Mr. C. Harrison, of No. 6, East Road, Greenwich, 1*l.* 14*s.* railway and cab fare. Frederic Barlow, agent"?—Yes.

261. Now, will you turn to the order of William Shearman; will you find out all those for travelling expenses?—These are those.

262. Turn to them with reference to William Shearman?—Yes, here it is (*handing the same to the learned Counsel*).

263. "Agent of Messrs. Macaulay and Steuart, to William Shearman. April 30th, 1837. To journey from Hitchin, 10*s.*; cost of telegraphic message there, and answer back, 3*s.*: total 13*s.* Admitted, F. Barlow, agent. Paid April 14, 1857. W. Shearman." This is the order: "Edmond Foster, esq., election auditor. Pay William Shearman railway and telegraph expenses, 13*s.* Frederic Barlow, for Macaulay and Steuart"?—Yes.

264. Will you turn to the next one?—Here is David Lovett (*handing the same to the learned Counsel*).

265. "Please pay David Lovett the sum of 2*l.* 6*s.*, railway fare and expenses. Frederic Barlow, agent. Received the 2*l.* 6*s.*, David Lovett"?—Yes.

266. Here is another: "Edmond Foster, esq., election auditor. Please pay William Henry Lawrence, of Camberwell, 16*s.*, railway and cab fare." "Edmond Foster, pay G. E. Mills, jun., railway fare and horse-hire from Saffron Walden, 6*s.* Frederic Barlow, agent." "Mr. John Thackeray to G. Hardwick. 1857, March 30th. For the hire of horse and cart to attend the Cambridge election, there and back, 34 miles, 15*s.* April 21st, 1857. Received the above

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for John Thackeray, E. Thackeray. Admitted, Frederic Barlow, agent." Then the order is, "Edmond Foster, esq., election auditor. Paid Mrs. Elizabeth Thackeray, for John Thackeray, expense of hire of horse and cart to Cambridge and back. Frederic Barlow, for Macaulay and Steuart, Paid 15 *s.*, Elizabeth Thackeray"?—Yes, that is so.

267. "Edmond Foster, esq., election auditor. Pay William Gaylor, railway, cabs, and omnibus, from town and back, 1 *l.* 4 *s.* April 1st, 1857. Frederic Barlow, agent." "Cambridge borough election. Edmond Foster, esq., election auditor. Pay William Bavey, railway and cabs from town, 9 *s.* 6 *d.*" This is the railway fare back?—Yes.

268. The next is "John Halsey, railway and cab, from Isleworth to Cambridge, 13 *s.* 6 *d.*" Have you any more?—No.

269. Now, will you be good enough to turn to the messengers; what is the total sum that was paid for the 74 messengers?—£. 66. 16 *s.*

270. That is the total for the 74?—Yes, for 74 messengers.

271. Now, be kind enough to find me out of that gross sum of 66 *l.* 16 *s.*, Joseph Pryke?—Here it is (*producing the same*).

272. "F. Barlow, esq., to J. Pryke, for attendance 13 days at the committee, 3 *l.* 5 *s.*; polling-day, 10 *s.* 6 *d.*; total, 3 *l.* 15 *s.* 6 *d.* Received on account 2 *l.*; balance, 1 *l.* 15 *s.* 6 *d.* (signed) Joseph Pryke. April 7th, 1857. Received, J. Pryke. Admitted, F. Barlow, agent." This is the order: "To Edmond Foster, esq., election auditor. Pay Joseph Pryke 14 days, messenger and card collector on polling-day, balance of account, after deducting 2 *l.* paid before the day of nomination, as per account sent to the election auditor, 1 *l.* 15 *s.* 6 *d.*; 14 days, 3 *l.* 15 *s.* 6 *d.* Cash, 2 *l.*; balance, 1 *l.* 15 *s.* 6 *d.* Frederic Barlow, for Macaulay & Steuart"?—That is so.

273. Now, "Edward Pilson, messenger to Mr. Macaulay & Steuart, five days,—polling day I was card collector,—1 *l.* 10 *s.* 6 *d.* April 7th, 1857. Received, Edward Pilson." The "6" has been cut out and "5" put in "day, polling day"?—Yes.

274. The next is "Moses Waters, messenger to Mr. Macaulay and Steuart, 10 days; received 10 *s.* on account; 2 *l.* 12 *s.* 6 *d.*; received on account 10 *s.*; balance, 2 *l.* 2 *s.* 6 *d.* April 7th, 1857. Received the above"?—That's correct.

275. The next is Japhet Edwards,—I think he is the son of a voter,—"messenger to Macaulay and Steuart's committee, three days. Received the above, 7 *s.* 6 *d.* (signed) J. Edwards. Admitted, F. Barlow, agent." He charges for three days. Then he says, "Received the above;" and then the order to the election auditor is, "Pay Japhet Edwards one day, messenger, 7 *s.* 6 *d.*" The next is David Bunting, "Messrs. Macaulay and Steuart, to D. Bunting, doorkeeper to committee-room, eight days, at 5 *s.* per day, 2 *l.*; ditto, polling day, 10 *s.* 6 *d.*; total, 2 *l.* 10 *s.* 6 *d.* Received on account, 1 *l.*; balance, 1 *l.* 10 *s.* 6 *d.*. Admitted, F. Barlow, agent. April 7th, 1857. Received the above, D. Bunting." The two Burbages are the two sons of the voter, George Burbage; the one, C. W. Burbage, and the other, James Burbage. "G. Barlow, esq. Two days, messenger, 10 *s.*; polling day, 7 *s.* 6 *d.*; total, 17 *s.* 6 *d.* James Burbage. April 7th, 1857. Received the above for James Burbage, Jane Burbage × her mark." The other is, "Messrs. Macaulay and Steuart's committee, to Charles William Burbage, to one day's attendance as messenger, 7 *s.* 6 *d.* (signed) C. N. Burbage"?—Those are correct.

276. The next messenger is Richard Stamford: "Messrs. Macaulay and Steuart's committee, to Richard Stamford. To one day's attendance as messenger, 7 *s.* 6 *d.* April 8th, 1857. Received the above. (signed) Richard Stamford." The next is Thomas Hoppett: "Messrs. Macaulay and Steuart's committee, to Thomas Hoppett. Attendance at borough election, 1857, 7 *s.* 6 *d.* Received, Thomas Hoppett. Admitted, F. Barlow, agent," And the order is, "Pay Thomas Hoppett, senior, one day, messenger, 7 *s.* 6 *d.*"?—These are right.

277. The next is, "Messrs. Macaulay and Steuart, to Matthew Gray. 1857, March 30th, borough election, to one day's attendance as messenger, 7 *s.* 6 *d.*" The next is Samuel Cater, "Messenger to Messrs. Macaulay and Steuart, seven days, from 23d of March to 30th March, and doorkeeper polling-day, Samuel Cater, 2 *l.* 0 *s.* 6 *d.* Admitted, F. Barlow, agent." And the order is, "Pay Samuel Cater seven days, messenger and doorkeeper, balance of 2 *l.* 0 *s.* 6 *d.*, after deducting 10 *s.*, paid before the nomination"?—That is correct.

278. What

278 What is the total amount; I had it an informal way before?—The total is 830 *l.* 2 *s.* 8 *d.* *E. Foster*, Esq.

279. Is that all that you have paid?—Yes, that seems to be all. 25 June 1857.

Mr. *Slade* stated that he did not see how this was evidence against the Sitting Member.

The *Chairman* stated that the Committee thought that it was admissible.

280. Mr. *Power*.] What was it on the other side?—£. 471. 17 *s.* 10 *d.*

281. By the *Committee*.] Is that jointly?—Yes; Colonel Adair and Mr. Hibbert.

282. And the first is jointly Colonel Adair and Mr. Steuart?—Yes.

283. Mr. *Slade*.] Is Colonel Adair's and Mr. Hibbert's private account at the hotel included?—No.

284. Is Mr. Steuart's included?—Yes; that is 13 *l.* off.

285. Is Mr. Macaulay's tavern bill included?—No.

286. Mr. *Power*.] Then there is 13 *l.* to be taken off?—Yes.

287. Mr. *Slade*.] I believe there was an agent from London who had a large sum?—Yes.

288. How much was that?—£. 117. 5 *s.*; Mr. Spofforth, the London agent.

289. There was no London agent employed on the side of Colonel Adair?—No, there was not.

290. I believe Colonel Adair employed two gentlemen who were voters?—So far as I know, one was Colonel Adair's agent, and the other Mr. Hibbert's.

291. They were both voters?—I believe they were.

292. What did they get?—£. 55. 13 *s.* each.

293. By the *Committee*.] I suppose that was a division of the joint account?—They sent in two quite distinct bills, each 55 *l.* 13 *s.*

294. Mr. *Slade*.] Will you give me the appointment of the agents by Messrs. Hibbert and Adair?—This is Mr. Hibbert's appointment (*handing the same to Mr. Slade.*)

Mr. *Power* stated that the handwriting must be proved.

Witness.] Here is Colonel Adair's (*producing the same.*)

295. Is that Colonel Adair's handwriting (*pointing to the same*)?—I have no doubt of it.

296. What is the name of the party whom Colonel Adair put in as his agent?—Mr. Cockerel.

[The Witness was directed to withdraw.

Charles Henry Cooper, Esq., having been sworn, was Examined by Mr. *Coleridge*, as follows:

297. ARE you Town Clerk of the borough of Cambridge?—Yes. *C. H. Cooper*, Esq.

298. Have you there the election accounts of 1854?—Yes.

299. Have you an account of the number of messengers employed at the election of 1854?—Yes.

Mr. *Slade* objected to this evidence being gone into.

Mr. *Coleridge* stated that the question which the Committee would have to decide was, whether the mere number of messengers employed on this occasion was not such as to negative the possibility of their all having been *bonâ fide* employed at the election.

Mr. *Slade* submitted that, if they went into the election of 1852, a much greater number might be shown to have been employed.

The *Chairman* stated that the Committee were of opinion that they ought not to receive the evidence now tendered.

300. Mr. *Coleridge* (To the *Witness*).] You say that you have been town-clerk of Cambridge for some time; have you been acquainted with the elections held

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held at Cambridge, and the mode of conducting them, from the time that the constituency was altered by the Reform Bill?—Yes.

301. Have you ever been legal agent on either side?—Yes.

302. At elections?—Yes, before I was town-clerk.

303. At more than one election?—Yes; I think two or three elections, perhaps more.

304. We have heard that 74 messengers were employed by Messrs. Macaulay and Steuart on the occasion of this election; from your experience——

Mr. *Slade* stated that his learned friend was trying to attain the same object in a different way.

Mr. *Coleridge* submitted that this was admissible evidence.

The *Chairman* inquired of Mr. Coleridge whether he thought that he could make it evidence on a trial at Nisi Prius.

Mr. *Coleridge* stated that that would depend upon the view which the judge might take of the character of the witness called.

The *Chairman* stated that the Committee were of opinion that Mr. Coleridge should be allowed to put the question.

305. Mr. *Coleridge* (To the *Witness*).] You have had large experience in elections at Cambridge, having been concerned with them on two or three occasions; assuming 74 messengers to have been employed on one side during a contested election, do you think that this was a proper or an excessive number of messengers to employ?—I should say that it was nearly three times as many as were required; 25 or 30 on one side would have been quite sufficient. I should prefer 25 to 30.

306. A commission was sent to Cambridge in 1833?—I forget the year, but a commission was sent.

307. Before that, had it been in Cambridge the practice to have flags, banners, and such things?—

Mr. *Slade* submitted that this could not be gone into.

Mr. *Coleridge* was heard in support of his right to pursue the examination.

The *Chairman* stated that the Committee thought that they had gone quite far enough in allowing the counsel to obtain the witness's opinion as to the number of messengers that were requisite.

Mr. *Slade* stated that the witness had better leave the room.

[The Witness was directed to withdraw.

Mr. *Coleridge* stated that he wished to ask the witness whether it had been the practice formerly in Cambridge to have a great many bands and flags in elections; whether that practice had now ceased, and whether, in consequence of that practice having ceased, the necessity for employing a large number of persons had not also ceased.

The *Chairman* stated that the Committee were of opinion that the evidence could not be further pursued.

The Witness was recalled.

308. Mr. *Coleridge*.] During your employment in the elections at Cambridge, what were the messengers used for?—To take messages backwards and forwards from the committee-room to the hustings, and to see that the voters went to their proper booths, and a few matters of that kind.

309. So far as you know, messengers were not employed to go with the flys and see that the drivers did not get drunk?—I never heard of such a thing on either side.

Cross-examined by Mr. *Slade.*

310. How long have you been town clerk?—Eight years; between eight and nine years.

311. You are a warm partisan on that side?—Not very warm; very decided; warm sometimes.

312. You are the plaintiff in Cooper and Slade?—I think so; but that did not arise from partisanship; quite the contrary.

313. You are of opinion that messengers are to run about between the hustings and the committee-room?—And various places wherever they are wanted.

314. You said, "the hustings and the committee-room"?—They might be sent elsewhere, if wanted.

315. I suppose varying according to what is required of them; and as to the number of days they are employed, do you confine that to the polling day and the nomination day?—Clearly to the polling day.

316. You did not have messengers longer than that?—Certainly not; on the polling day, and no other day.

317. Do you know that the other side had their messengers employed for 10 or 12 days?—There might be one or two at the committee-room. The number would not exceed three, I think, before the election; three would be amply sufficient.

318. I suppose the number required would very much depend upon the business to be done?—Yes, there is no business to be done; it is a mere trifle.

319. There is enough for 25, according to your own account?—Yes, there is enough for 25. On the day of polling, I think they would be quite enough.

320. What is the number of electors; it is something like between 1,800 and 1,900, is it not?—I think 1,600 is the outside of the voters.

321. But the registered number of electors is 1,800 and odd?—Yes; but there is a very considerable reduction to be made from that number on account of persons entered more than once; Mr. Foster, I think, is down several times.

322. The number of actually registered electors is about 1,800?—I should say that the number of actually registered electors is about 1,700, as far as I can guess.

323. I have here 1,878?—If you look in nearly every parish you will find Charles Finch Foster down in every parish, and several others; you will find several persons down for the same house.

324. May I take it that 1,700 will represent a fair amount of registered electors who have a right to vote?—Yes, about 1,700 when the register was new, and diminishing, of course, each month by deaths.

325. You very rarely poll out?—No, I was never polled out yet. There are always about 100 or more who hang back and never vote at all; I think never less than 100.

326. On this last occasion were there considerably more than 100 that did not vote?—Yes.

327. Seven hundred and odd voted for Mr. Adair?—Yes; I did not go into that minutely; I have no doubt that you are correct; there was a list published of those who did not vote; I did not add them up.

328. By the *Committee.*] What is the area of the borough within the Parliamentary boundary?—I can hardly say, but large; a good size; there is a very great deal of field besides the town, and, except at one little part, you would go from one part of the borough to another, and it would be three miles and a half or more; it is a very good area, except just at one corner.

Cross-examined by Mr. *Slade.*

329. The length from Parker's Piece, where the polling takes place, to the end of Barnwell would be above two miles?—No, nor half of it.

330 The Castle Inn?—No; I should think Parker's Piece is so well situated that I think it is not more than a mile from the residences of all electors, except a number, under 25, farm-houses and so on, isolated dwellings; I should say that the great mass of the electors are within three-quarters of a mile of Parker's Piece; there is not the slightest occasion for a conveyance of any kind, except for the lame and the old.

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Re-examined by Mr. *Coleridge*.

331. The number of persons in the outlying parts of the borough is very small, is it; there is no rural part?—Very small indeed, and there is no rural part of it; there are a few farm-houses.

332. There are only a very few voters?—Yes.

333. The great body of the constituents is in the town of Cambridge itself?—Certainly.

334. By the *Committee*.] Is there more than one polling place?—Only one polling place, Parker's Piece; it is divided into partitions; there is but one spot.

[The Witness was directed to withdraw.

John Eaden, Esq., was called in; and, having been sworn, was Examined by Mr. *Coleridge*, as follows:

J. Eaden, Esq.

335. ARE you an attorney, living at Cambridge?—Yes.

336. Are you clerk to the magistrates of the borough and county court at Cambridge?—Yes.

337. Were you the local agent, the agent for the election expenses at the last election?—Yes; I was the agent appointed for the election expenses of Mr. Hibbert; there was but one committee for the two candidates, and I acted with Mr. Cockerel jointly; strictly, I was agent for Mr. Hibbert; the action of the candidates was joint; there was but one committee.

338. Have you been legal agent before; were you employed in 1852 and 1854?—Yes; at two previous elections, in 1852 and 1854.

339. Since the passing of the Corrupt Practices Act, have you diminished the number of messengers employed?—Yes, very considerably so; they used to be called messengers and flag-bearers.

340. Now you employ many fewer than you did?—Yes; there are no flags, and accordingly no flagmen are required.

341. How many messengers did you employ the last time?—Thirty-two.

342. How were they distributed?—The polling booth was divided into eight compartments, and there was one messenger to each.

343. That was eight?—There were two card collectors, collecting half-hourly returns.

344. Had you district committee-rooms?—Yes, six; and I believe two were posted to each room.

345. Had you three in the central committee?—Three were employed as doorkeepers at the central committee, and some five or six as messengers unattached for general business.

346. Did you find those 32 messengers quite sufficient for the purposes of your election?—Quite sufficient, quite enough.

347. You found that your flymen did their duty without messengers attached to them?—Yes; the flymen were quite as likely to look after the messengers as the messengers after the flymen. Each fly had one or two gentlemen of the committee, who were engaged in getting up the voters.

348. How many messengers had you before the actual day of polling?—With the doorkeeper, six, who delivered all the circulars; they were not posted, consequently there were about two or three together; the others were employed at the door and delivering messages up to the polling day.

349. Were you placed under no restrictions by Colonel Adair and Mr. Hibbert as to the employment of messengers?—None whatever; we were to appoint what we deemed necessary, and no more.

350. As to the expenses; had you any directions as to what expense you were to incur?—None at all; no special ones.

351. In fact, you expended all that you thought really necessary for the effective carrying out of their election?—Yes; we had no restriction whatever; everything that could be fairly done was done, as far as expenditure was concerned.

352. Are you aware of any matter on the other side, on Messrs. Macaulay and Steuart's side, which should require a greater number of messengers to be employed by them than by you?—Certainly not.

353. I mean

353. I mean on the polling day?—There was no reason whatever; the voters were living at the same place.

354. There was no difference of local circumstances?—None; the number varied only six.

355. You are not aware of any other local reason why 74 messengers should have been necessary on the one side when 32 did on the other?—I think that the number sufficient on one side would also be sufficient on the other; I see no reason for a distinction.

356. Before the last election was a resolution come to by Colonel Adair and Mr. Hibbert, that no travelling expenses should be paid?—Yes.

357. You communicated that to Mr. Barlow?—Yes, we did; we gave him notice that we should raise the question if they were paid.

358. You say that you had received instructions from Colonel Adair and Mr. Hibbert that no travelling expenses should be paid?—Yes.

359. Did you have an interview, you and Mr. Cockerel, with Mr. Barlow, about eight or ten days before the election, at the Guildhall, in the presence of the mayor?—Three or four days; on the 26th of March.

360. Did you then inform Mr. Barlow that it was the intention of Colonel Adair and Mr. Hibbert, and those acting on their behalf, not to pay any additional expenses at the election?—Yes.

361. Did you have a second interview with Mr. Barlow at your own committee-room as to the amount of remuneration that you would pay to the messengers?—Yes. I did not quite understand the question. The second interview was on the 26th, at the committee-room; the first interview was when we met before the mayor to make arrangements as to the polling.

362. Seven or eight days before the election?—Yes, thereabouts.

363. Did you subsequently have a second interview with Mr. Barlow at your own committee-room on the subject of the amount of pay to be given to the messengers?—Yes.

364. That being discussed, had you further conversation with him as to the payment of travelling expenses; a second conversation?—Yes, we had.

365. What did you tell him then?—It was in my presence; but what was said was principally from Mr. Cockerel, and he said, "We do not intend to pay travelling expenses; and if they were paid on the other side, it was Colonel Adair's intention to raise the question before a Committee of the House of Commons." That was the substance of it.

Cross-examined by Mr. *Slade*.

366. I suppose on the question of the legality of the payment of travelling expenses, very strong opinions exist even now in Cambridge?—That is rather asking me upon a question of law. If you ask me my opinion upon it ——

367. Your opinion is the same as Mr. Cooper's, that it is all illegal?—What we stated then was the result of an opinion which I held, and upon which I advised the candidates.

368. I ask you whether it was your opinion?—Yes, no doubt of it.

369. That it was illegal?—Yes, no doubt of it.

370. Then you would advise your clients not to pay travelling expenses, and that you told Mr. Barlow?—Yes.

371. That being your opinion, you then advised your clients not to pay the travelling expenses, and if Mr. Steuart or Mr. Macaulay paid them, Colonel Adair would raise the question before a Committee of the House of Commons?—Yes; our object was that they should not complain afterwards that we had not given them due notice.

372. At the same time, did you come to an arrangement with him that 7*s.* 6*d.* should be the pay for the messengers?—Yes; 7*s.* 6*d.* on the polling day and 5*s.* on the other.

373. And no advantage was to be taken on either side as to the payment of messengers?—Certainly not.

374. At the Town-hall, was it, that you had any conversation with Mr. Barlow, and did you not agree with him that neither side should take advantage if messengers were paid?—Certainly not.

375. Nothing of the sort?—Nothing of the sort; something upon the subject, but nothing of the sort.

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376. What was it?—Mr. Barlow asked us whether we would agree to make some agreement as to the employment of voters; I told him that the Act of Parliament relating to the employment of voters was repealed, and consequently no agreement was necessary; not to agree to do that which the law permitted either one to do if he chose it.

377. Did you leave Mr. Barlow under the impression that the law permitted the payment of messengers?—The result that I intended to convey was, that they were perfectly justified in substantially employing voters, but they were not justified in employing voters under colourable pretences, or paying voters under that garb.

378. You are an old agent for expenses?—I have been concerned at two elections.

379. You knew perfectly well what you were about; you had an organised party, in fact, of which you were the head?—Unfortunately we had a disorganised party, but a committee was appointed, and certain machinery existed.

380. Have you attended at those elections for the last 20 years?—No.

381. How long?—Only five years.

382. Try and recollect?—I do not think it exceeds that; Mr. Cooper used formerly to attend to that, and when he was appointed town clerk, I took it in hand; that is as near as I can recollect.

383. Mr. Cooper was appointed in the year 1849, so that you have been eight years at it?—Then there must have been somebody between; I am not prepared to answer the question, but I think I have not done the registration for more than five or six years.

384. But that would give you a very good knowledge of your party?—Yes, of course; I could not conduct it without having such a knowledge.

385. I suppose that no man in Cambridge knew better where to put his hand on good voters?—It is quite obvious that, in carrying on the registration, I must acquire considerable knowledge as to who the voters were, and what they were.

386. And which way they were likely to go?—Yes, no doubt of it.

387. Might the same observation apply to Mr. William Cockerel?—Yes; but the same does not apply, because he has not attended to the registration.

388. But he attended to the elections?—Yes; he attended to one election in 1854.

389. Does the great mass of the supporters of the Liberal party live in the district called Barnwell, and cannot you command 19 out of 20 of those voters?—I do not know what we might do under certain circumstances, but we lose a great many.

390. What do you mean by "under certain circumstances"?—I must refer you to the Report of the Commission on Corrupt Practices.

391. You were the election agent for the payment of expenses?—Yes, one of them.

392. Did you pay a man called Campion?—Yes, I gave an order for his payment.

393. How much?—I cannot tell.

394. Ten guineas?—I cannot tell you from recollection; I can tell you from the list; I paid nothing but what appears in the election auditor's account.

395. What did he do?—He made out all the canvassing books; he and a man named Mole assisting him, made out the canvassing books from the register, and made out those lists, and the rest of the time he was in the committee-room. I think if you look at your committee-room expenses they exceed by five or six times the amount of ours.

396. What did Mole do?—I should say the same, they were employed in similar duties; they were jointly employed in those things.

397. Had Campion a son?—I think not; I believe he is an unmarried man.

398. Who was the committee-room clerk?—Campion is the person.

399. That is the same person?—Yes.

The *Chairman* stated that it was the wish of the Committee that Mr. Slade should confine the cross-examination to matters bearing upon the evidence which the Witness had given, and not to cross-examine with reference to establishing his own case affirmatively, which it would be more convenient to reserve until the Committee had decided on the case of the Petitioner.

Mr.

Mr. *Slade* submitted that this might put him in very great difficulty, as he was undoubtedly entitled to get out anything that would serve his case, and that he was entitled to examine this gentleman in a totally different way from what he would be if he called him as his own Witness.

400. Mr. *Slade.*] How many messengers had you?—Thirty-two altogether, with the doorkeepers.

401. Had you the nomination of them?—No; I should say that Mr. Cockerel appointed more than myself.

402. You and Mr. Cockerel together?— Yes.

403. Did anybody send any recommendations?—Yes.

404. Who sent in any recommendations?—That is a general question; there were recommendations from voters, and amongst them recommendations signed by the parties themselves; several of them applied.

405. Recommending themselves?—"I apply for a messenger's place," or something to that effect.

406. That is an application; were there recommendations from voters?—In some instances I should say no doubt of it.

407. Were there voters' sons put on, or near relatives?—I do not recollect any instance; there may have been.

408. And Mole, was he a son of a voter?—I am not aware that he is; he may be.

409. You attending to the registration, do not you know that Mole was the son of a voter?—No; so far as my knowledge extends he was not, but I do not say that I can speak positively about it.

410. Perhaps he is a voter?—Mole himself is; no doubt that is a fact. I do not know the other, I do not.

411. Do you know a man called James Soward?—Not personally; I know that there is such a person.

412. Was he a messenger?—I think not; there was a person of the name of Soward, who, I believe, was the son of Soward, a voter.

413. Was Soward, the son of a man who was a voter, a messenger?—Yes.

414. Do you know Drake the younger; is he a voter?—No.

415. Is he the son of a voter?—No; I have no knowledge of it; I should say, certainly not.

416. Is there a man called Thomas Drake, a gardener, of Dowling-terrace?—I do not know him.

417. Do you know whether there is a voter of that name?—That I cannot speak to.

418. By the *Committee.*] How much did you pay per messenger?—We paid 5 *s.*

419. What was the total amount?—£.27. 15 *s.*

420. Was that the joint expense, or yours?—Joint; they were all joint; all the officers generally.

421. Mr. *Slade.*] Do you know Dickeson; was he one of your messengers?—I do not know him personally. (*The Witness referred to the list.*) I see he was a messenger.

422. Was he the son of a voter?—I do not know him.

423. Do you know a bootmaker in Clements-place, of the name of Dickeson, a voter?—No.

424. There had been an unhappy split in the camp of the Liberals?—Yes.

425. So that the result of the election did not take you quite by surprise?—Yes, I was surprised; I thought that we should win, notwithstanding; the split did not ultimately make a difference of more than five or six votes.

426. Those six just did it?—Yes.

427. Did some of your staunch voters, whom you expected to vote, refrain from voting?—There were some four or five gentlemen whom you referred to who refrained from voting.

428. Men who had been staunch supporters of the Liberal interest in former times?—Yes, some four or five of them.

429. Now, taking into account their own votes, and those whom they took along with them, do not you think that the Liberal interest were disappointed in upwards of a dozen?—I cannot point them out; all I can say is, that there is no

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question about it, that those four or five were, some of them, active partisans, and we lost more by the want of their support than their individual votes.

430. Their defection from the cause, like many another defection, carried with it perhaps as many, if not more, in number than themselves?—Not to a great extent; they are not very influential men.

431. The gentleman that we had in the chair just now, Mr. Foster, the auditor, I think he did not quite come up to the mark, did he?—He did not vote.

432. He refrained?—He was one of those who declined to vote.

433. You surely do not intend to say that Mr. Foster, the auditor, is not a man of influence in the borough of Cambridge?—No; but I would say that all his brothers, who have very much more influence than he, were with us; therefore the Foster influence was with us.

434. The Foster interest collectively was with you, but as to Mr. Foster individually, you lost him?—I think Mr. Edmund Foster's individual interest is small; he is a gentleman whose character stands high, but he has no other influence; he is a solicitor, but he does not employ many men.

435. Do you think that you only lost this solitary vote?—I should not think that we lost much more than that; I am not aware that we lost any more; he certainly did not exert himself against us.

436. Was it not a fact, that Mr. Foster was the chairman of the recusants?—Yes.

437. Therefore he aided the party disaffected, part of those who split off from the great Liberal connexion?—Yes.

438. How many was this party composed of, of which Mr. Foster was chairman?—Something like 50.

439. Were they 50 voters?—I should think all of them.

440. Did they all refrain?—They all voted, with the exception of the four or five that I have spoken of; they all voted. They were angry for a time; but they came in at last, and not only voted, but assisted us.

441. Did they vote true?—Yes, there's no fear of their voting on the other side.

442. Mr. Hibbert and Colonel Adair?—Yes.

443. Who was the man next in influence to Mr. Foster among the six who did not vote?—There is Mr. Moyse, a baker on the Castle-end, a very respectable man, but a man of no influence whatever.

444. Can you give me another name?—I have exhausted my list, as far as my memory is concerned, though there were two or three more.

445. You say that you thought you lost more by them than their actual six votes; now you cannot tell me who was influenced by them?—I do not think anybody; but very few.

446. I want the few?—I cannot tell. I know that they are active men in getting up voters; and the loss of their services on the day of the election would, I think, be more than their individual votes; but it is impossible for me to give in evidence the precise result of it.

447. They were active in getting up voters on the day of election?—Yes.

448. Those are duties which are generally confided to the messengers?—No, certainly not.

449. What did the messengers do?—Carry messages.

450. Cannot they be employed in getting up voters?—Yes; but the messengers are a very low class of men. The voters who act on the committee, and who get voters up, are a very respectable class of men, consequently they can do it much better than the messengers.

451. Then it comes to this, that your party had volunteer getters-up of voters, of which those six were some; is that so?—Yes. I beg your pardon.

452. Several of your influential voters volunteered to go on the day of polling to get up voters?—They do that on both sides. As Mr. Barlow said, there were messengers appointed to each fly, to see that the flymen did not get drunk, and to open and shut the doors as the voters got in and out.

453. Was that the case with you?—No. There were flys for each station, and some of the committee of that district had the use of those flys, and the power of commanding the drivers to go where they chose.

454. Have you any objection to tell us upon what ground the Liberal party got split up?—I have not the slightest objection. It is perhaps a long history. The body were Dissenters, and they thought, I believe generally, that the two candidates we

we had did not go quite so far as they wished on questions which involved the differences between Churchmen and Dissenters. I think it was reduced to that at last.

455. Had the rejection of Mr. Bright anything to do with it?—Not that I am aware of.

456. Are you not aware that the sudden rejection of Mr. Bright and Mr. Cobden caused a great reaction in the minds of the Liberals in Cambridge?—No.

457. That was not openly spoken?—In my judgment there was no such cause.

458. It was simply the question of the Church in Ireland?—It was reduced to writing. There were some isolated questions put to the candidates, and some correspondence upon the subject.

The *Chairman* stated that the Committee were of opinion that this evidence was irrelevant.

Re-examined by Mr. *Power*.

459. I believe this split was a long time before Mr. Cobden and Mr. Bright lost their elections?—Yes.

460. You say that you acted as agent at the previous election, do you know by how many votes at that time Colonel Adair headed the poll?—I do not remember; some 40 or 50 votes.

461. Was there anything in the defection which my learned friend has mentioned to account for the numbers being transposed as they are now?—Nothing at all.

462. You say, as to the flys that are sent out for the voters, the course is for leading members of the committee, or active members of the committee, to go for that purpose?—Yes.

463. In your judgment is there the least necessity to employ any messengers to look after the flys?—It is an absurdity; the flyman drives, and the gentlemen see after the votes.

464. Can they prevent the flymen from stopping at public-houses and getting drunk?—I think that the messengers would be much more likely to go with the flymen and get drunk with them.

465. Now one word as to travelling expenses; you have stated that an interview took place eight days before the polling?—Yes, the first interview.

466. Did that fact become notorious that your side would not pay travelling expenses?—Certainly.

[The Witness was directed to withdraw.

William Cockerel, Esq., was called in, and, having been sworn, was Examined by Mr. *Coleridge*.

467. ARE you also a solicitor in Cambridge?—Yes.

468. Are you clerk of the peace for the borough?—Yes, I am.

469. Did you act as legal agent for Colonel Adair at the election before?—Yes, in 1854.

470. Were you engaged in the election of 1843 and 1847 also?—Yes; not professionally; I was not admitted there. At one of those elections I was articled clerk to Mr. Cooper; he was engaged, and I had some knowledge of it.

471. Was the management and appointment of messengers in your hands?—It was in the hands of Mr. Eaden and me jointly. We acted jointly throughout the whole business.

472. Do you agree with Mr. Eaden that 32 messengers were abundantly sufficient?—Most undoubtedly; I believe that any more would be rather in the way than useful. We had only six previous to the polling-day.

473. Mr. Eaden mentioned to my learned friend, Mr. Slade, just now that recommendations were sent in; if you had attended to the recommendations, could you have had any difficulty in appointing a great many more?—We might have appointed treble the number we did, if we had attended to every recommendation.

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474. Were you present with Mr. Eaden at the interviews with Mr. Barlow?—At both of them.

475. Then you heard what he said?—Yes; that is quite correct what passed between us and Mr. Barlow on those occasions.

476. Are you aware of any local circumstances in Cambridge that would have made it necessary for the other party to employ more messengers than you; that is, 74 messengers?—I cannot possibly conceive that they could be necessary.

477. You know no reason why they should be?—No, I do not.

478. Will you turn to the poll-book and find the names of Joseph Pryke, Edward Pilson, Moses Waters, David Bunting, Richard Stamford, Thomas Hoppett, Matthew Gray (those being messengers); and as to travelling expenses in the cases of William Shearman, John Thackeray, John Halsey, David Lovett, William Henry Lawrence, George Mills (the younger), William Gaylor, William Bavey, and Charles Harrison?—Yes, I will.

Mr. *Power* stated that on the first branch this was the case on the part of the Petition.

The *Chairman* stated that the Committee understood that Mr. Power had closed his case as to bribery; but that he had stated no case as to treating.

Mr. *Power* stated that he did not propose to trouble the Committee with that; but that he should reserve his right to go into a scrutiny.

Mr. *Power* was heard to sum up the case on behalf of the Petitioners.

[Adjourned to To-morrow, at Twelve o'clock.

Veneris, 26° *die Junii*, 1857.

THE Names of the Members were called over; all present.

RICKARD DEASY, Esq., IN THE CHAIR.

William Cockerel, Esq., further Examined by Mr. *Coleridge*.

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479. HAVE you gone through the poll-book with the list that I gave you yesterday?—Yes.

480. Have you found that all in that list that I supplied you with have voted?—Yes; they all voted for Macaulay and Steuart, with the exception of Harrison, who plumped for Mr. Steuart.

Cross-examined by Mr. *Slade*.

481. How many of those are messengers?—Seven.

482. How many of them received their travelling expenses?—Nine.

[The Witness was directed to withdraw.

Mr. *Power* continued, and closed his summing up.

Mr. *Slade* was heard in reply.

The Committee-room was cleared.

After a short time the counsel and parties were called in and informed that the Committee had resolved that it had not been proved that the Sitting Member was guilty of bribery by himself or his agents.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 27° die Junii, 1857.

Members all present.

RICKARD DEASY, Esq., IN THE CHAIR.

Mr. *James* stated that the first case which he proposed to take upon the list, under the head of travelling expenses, was the case of Charles Harrison; and the head of the objection was this, "each of these voters will be objected to upon the ground that he did, before or during the last election for the Borough of Cambridge, by himself, and by other persons on his behalf, receive, agree, or contract for money, or some valuable consideration or employment for himself, for voting, or agreeing to vote at the said election."

Charles Harrison was called in; and, having been sworn, was Examined by Mr. *Coleridge*, as follows:

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483. WHERE do you live?—Cambridge.
484. No. 6, East-road?—Yes.
485. Did you vote at the last election?—Yes.
486. Did you vote for Macaulay and Steuart?—Mr. Steuart.
487. Where were you just before the election?—I went to Gravesend.
488. Where were you just before the election; at Gravesend?—I reside in Cambridge, but I went to Gravesend.
489. Were you at Gravesend just before the last election?—I was.
490. What were you doing there?—I went on business.
491. Did you go from Gravesend to Cambridge to vote?—Yes.
492. What made you go from Gravesend to Cambridge to vote?—On purpose to vote for Mr. Steuart.
493. Were you sent for?—No, but I had promised Mr. Steuart my vote previously; and I returned purposely, as I knew as I could not do my business; I did not meet the party; I could get back in time to give my vote.
494. You went to Cambridge and gave your vote?—Yes.
495. Did you leave word in Cambridge where you could be found?—No.
496. You did not leave word?—No.
497. What did you do when you came back to Cambridge; did you go to Mr. Steuart's committee-room?—I went to the committee-room, and from there I gave my vote; I went to the stall, the place of voting.
498. Whom did you see at the committee-room?—I saw Mr. Barlow.
499. Did you go from the committee-room to the polling place?—I did.
500. Did anybody go with you?—No.
501. You went alone?—Yes, I went by myself.
502. Did you vote?—I did.
503. Then what did you do after you had voted?—I came back to the committee-room.
504. Did you get any order for the payment of your expenses?—I did.
505. Did you say anything to Mr. Barlow; he wrote it down, did he not?—He said it was legal, the expenses.
506. Never mind about that; did Mr. Barlow write it?—For the amount of travelling expenses?
507. Yes?—He did.
508. Did he write from your dictation; did you tell him where you lived?—He asked me how I travelled; he asked me where I came from, and I said, "from Gravesend."

C. Harrison.

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509. And did he ask you where you lived?—No, he did not.

510. Did you tell him?—Yes, I did.

511. Did he write down what you told him?—He did not; what he wrote down was the amount of the travelling expenses.

512. Did you read over what he wrote down before you signed it?—I did not sign anything.

513. Look at that (*handing a paper to the Witness*); is not that your handwriting?—That is Mr. Foster's.

514. Is not that your handwriting?—Yes, that is; I did sign it.

515. Did you read it over before you signed it?—No, I did not.

516. Did you not look at this at all?—No, I just folded it up, and took no more notice of it, and gave it to Mr. Foster.

517. You did not look at this at all?—I did not, because Mr. Barlow said, "There is the amount of your expenses; take it down to Mr. Foster.

518. Had you no curiosity to see what the amount of your expenses was?—I saw Mr. Barlow make it up, and all I said to Mr. Barlow was, he asked me where did I come from? and I told him from Gravesend; and he said, "How did you travel?" and I said, "I travelled by rail." He then made the expenses out himself and gave me a paper, and said, "1*l.* 14*s.*; take that to Mr. Foster;" and I did no more but take it to Mr. Foster, and he gave me the money and he said, "Receipt this."

519. Did Mr. Barlow know where you lived?—Not that I know of.

520. Did he know you before?—No.

521. Did he not ask you where you lived?—He did not.

522. Will you swear that you did not tell him it?—Yes, I will swear.

523. Just read that paper (*handing a paper to the Witness*)?—"Charles Harrison, 6, East-road, Greenwich, 1*l.* 14*s.* railway and cab."

524. How came he to write it, "6, East-road, Greenwich"?—I do not know; I said "Gravesend;" there was a little noise.

525. Did you tell him, 6, East-road?—I did not.

526. Will you swear that?—I will.

527. How came he to write it?—He must have obtained it from some other paper.

528. You do not live at 6, East-road, Greenwich?—No; I said I came from Gravesend.

529. Where do you live?—In Cambridge.

530. 6, East-road, Cambridge?—Yes.

531. Did you go to Mr. Foster and get this paid?—Yes, I did.

532. How much did your journey cost you?—It cost me altogether, for refreshments and all—

533. I did not ask you for refreshments, but the railway and cab fare?—Somewhere about 1*l.* 14*s.* or 1*l.* 15*s.*

534. Did your railway cost you that; did you come first or second class?—One way I came first class, returning; going, I went second class.

535. Did you go back on the same day?—On Monday; I went and came in one day.

536. You did not take a return ticket?—No, because I had not made up my mind I would come back; had I seen the party I went to see I should not have come back.

537. Which way did you go; first class?—Coming back.

538. Had you been to the committee-room?—Not until the Monday.

539. When did you go to Cambridge?—On the Saturday.

540. You went to Cambridge second class, did you?—No, first class.

541. And came back second?—Yes.

542. Can you recollect what you paid for your railway fare?—The first class I paid 13*s.*, and the second class I paid 9*s.* 6*d.*

543. What for cabs?—I paid 2*s.* 6*d.* from Shoreditch to London Bridge Station.

544. That was all?—Yes.

545. Are you in the habit of travelling first class?—Oftentimes.

546. Do you pay cabs 2*s.* 6*d.* generally?—If I missed the 'bus.

547. Are you in the habit of paying cabs at that rate, 2*s.* 6*d.* from London Bridge to Shoreditch Station?—I have often done so.

548. From Shoreditch to London Bridge?—Yes.

549. Is that all you paid?—At Gravesend I paid 6*d.* for a cab also.

550. Three

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550. Three shillings for cabs, and 1*l.* 0*s.* 6*d.* for railway fare?—Yes; and the fare on the railway from London to Gravesend, 2*s.* 6*d.* down, and return the same money.

551. By the *Committee.*] Making 5*s.*?—Yes.

552. Do you mean that you paid 2*s.* 6*d.* from Shoreditch to London Bridge Station for a cab taking you?—Yes; that is what the man charged.

553. You always pay them what they charge?—I do.

Cross-examined by Mr. *Slade.*

554. What are you?—I am clerking for a gentleman.

555. Are you an accountant; what are you in business, if you were asked?—A clerk now.

556. I believe this is the first vote you have given in Cambridge?—Yes.

557. And when you saw Mr. Steuart, I believe you promised him?—I did.

558. You came back for the purpose of performing your promise?—I did.

559. By the *Committee.*] State your expenses again; begin at the commencement, from the time that you left Gravesend to the time that you got back to Gravesend?—Sixpence for the cab, 2*s.* 6*d.* for the railway; 2*s.* 6*d.* for the cab to Shoreditch Station; 13*s.* the railway to Cambridge, 1*s.* for cab at Cambridge, and I returned again, leaving out the first class, and took 9*s.* 6*d.* for the railway back to London; and the same charges on to Gravesend, 2*s.* 6*d.* for the cab, 2*s.* 6*d.* the railway, and 6*d.* the cab.

Mr. *Slade* stated that he had no further questions to put.

Mr. *Coleridge* stated that this was the case on the vote of Charles Harrison.

[The Witness was directed to withdraw.

Mr. *Coleridge* summed up the evidence on this case, and referred the Committee to the section under which he claimed, on the part of the petitioner, to have this vote struck off.

Mr. *Slade* was heard in reply.

The Committee-room was cleared.

After a short time the counsel and parties were called in, and informed that the Committee had resolved that the vote of Charles Harrison was a good vote.

Mr. *Power* stated that the next case, which was that of John Halsey, raised another point, as he was a man who had received travelling expenses for coming from Isleworth, when he had, in point of fact, not left Cambridge.

Robert Leland was called in; and, having been sworn, was Examined by Mr. *Coleridge*, as follows:

R. Leland.

560. WHERE do you live?—King-street, Cambridge.

561. You hold some office at Jesus College?—No.

562. Do you know the voter John Halsey?—Yes, quite well.

563. Does he live close by you?—Yes.

564. He has something to do at Jesus College?—Yes, he is servant there.

565. Is his wife also a servant at Jesus College?—Yes.

566. Do you recollect seeing John Halsey in King-street, two or three days before the election; the Tuesday or the Wednesday before the election?—Yes.

567. Was he in conversation with Mr. Hibbert, do you recollect?—Yes, he was.

568. Was it Tuesday or Wednesday?—I do not know which it was; it was either Tuesday or Wednesday.

569. Did you see him in Cambridge also on the Friday before the nomination?—Yes, and on the Saturday too.

570. First, did you see him at Cambridge on the Friday?—Yes.

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571. Did you see him again on the Saturday, on the 28th, the day of the nomination?—Yes.

572. Did you see him on Sunday the 29th?—Yes, I saw him on Sunday morning, between nine and ten.

573. Did you see him on the polling day?—Yes, between seven and eight on Monday morning.

574. By the *Committee.*] You saw him every day?—Yes; pretty well every day during the week.

575. Mr. *Coleridge.*] You saw him pretty well every day in the week; certainly Friday, Saturday, Sunday, and Monday?—Yes.

576. And one day before that in that week?—Yes.

Cross-examined by Mr. *Slade.*

577. When was it you say you saw him; can you swear that you saw him before Friday and before the election?—Yes; either on the Tuesday or the Wednesday.

578. Are you certain?—Yes.

579. You told my learned friend that you were certain about Friday, Saturday, Sunday, and Monday; will you swear you sawhim in Cambridge, either the Thursday, Wednesday, or Tuesday before that Friday?—Yes, I will.

580. Which day?—Either the Tuesday or the Wednesday; I do not know which. I was along with Mr. Hibbert and Colonel Adair down in King-street, showing them where the voters lived.

581. By the *Committee.*] On Tuesday or Wednesday?—Yes.

582. Mr. *Slade.*] Then the battle had begun, had it; the skirmishing about the election?—I believe they were canvassing.

583. Why you know it, do not you?—Yes.

584. You were a warm partisan of the Liberal party?—Yes, I was asked to ——

585. You were one of the paid messengers?—Yes.

586. What did you get?—I was paid.

587. Have you any objection to say what you got?—No.

588. What was it?—Seventeen and sixpence.

589. How long were you employed?—Three days.

590. Are you a voter?—Yes.

591. How long had this canvassing been going on?—I am sure I do not know; I was only with them about two days, just to show them round the neighbourhood where I live.

592. Is that the only reason why you say you saw him on the Tuesday or the Wednesday?—Yes, that was the time, and Mr. Hibbert saw him as well as I did.

593. Did you speak to him?—I believe Mr. Hibbert and Mr. George Foster spoke to him.

594. Perhaps they canvassed him?—I believe they were talking to him; I did not hear what they were talking about.

595. Do you know him well?—Yes.

596. Very well?—Yes; I have known him for 20 years.

597. Do you know that he came up to Isleworth to work?—I never knowed that he did.

598. How long before Tuesday or Wednesday had you seen him?—I am sure I do not know for that.

599. Had you lost sight of him for some time?—I never lost sight of him for any length of time at all; he is a man I pretty well see every day, living so near him.

600. Where did you see him on the Sunday?—Very near facing over to his own door.

601. Did you speak to him?—I know I met him; he was talking to another man about a neighbour of his dying in a chair.

602. By the *Committee.*] That was on the Sunday?—Sunday morning.

603. Do you know the name of that man?—He was speaking to two or three; I do not know who they were; I passed them as I was going to work.

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604. Mr. *Slade.*] Did you speak to him either on the Friday or the Saturday?—Yes; I had a glass of ale with him once during the week during the election.

605. Not on Tuesday?—No, that was not the time.

606. When was that?—I cannot be sure what night it was when I had the glass of ale with him.

607. Was he the other side of politics to you?—I believe he is.

608. By the *Committee.*] Did the election take place in term time?—Yes; the latter end of March.

609. Was the polling day during the time?—Yes, I think so.

610. Is Halsey employed in Jesus College?—Yes.

611. A servant there?—Yes.

Re-examined by Mr. *Power.*

612. He is the assistant coal carrier there?—Yes.

613. And his wife is the laundress?—Yes.

614. Mr. *Slade.*] You say that he was employed in Jesus College?—Yes, he is employed by the College.

615. Do not you know that on the occasion of the election all the colleges sent their men down?—No; I think they were all up there.

616. Do not you know that all the colleges sent their men down; did Jesus College send their men down?—I am not aware of it.

617. Mr. *Power.*] What would the undergraduates do if they were all sent away?—I do not know.

618. By the *Committee.*] You say that you saw Mr. Hibbert speak to him?—Yes, and Mr. George Foster; I showed him to them. I said, "There is Halsey, if you wish to speak to him;" and they went afterwards and spoke to him.

619. Mr. *Power.*] My learned friend asked you about being a paid messenger. You got 17*s.* 6*d.*?—Yes.

620. You know the people in Cambridge well, and the voters?—There are very few in Cambridge that I do not know.

621. Did you work hard for two days canvassing?—I went along with Mr. Hibbert.

[The Witness was directed to withdraw.

Edward Sanderson was called in; and, having been sworn, was Examined by Mr. *Coleridge*, as follows:

E. Sanderson.

622. DO you live near John Halsey, at Cambridge?—About the length of this room off.

623. In the same street, King-street, Cambridge?—Yes.

624. Do you know him well?—Quite well.

625. Did you see him in Cambridge on the Sunday between the nomination and the polling days?—Yes.

626. Had you some talk with him on that day?—About two or three words.

627. Are you quite sure that was the day you saw him?—Yes, on the Sunday.

628. Mr. *Slade.*] When?—Previous to the polling day.

629. Mr. *Coleridge.*] Did you see him on the polling day at all?—On the polling day I saw him.

630. What time of the day?—I saw him two or three times that day.

631. At what time?—I saw him, I should think, about 10 minutes to eight in the morning.

632. Did you see him after that about the middle of April; Sunday the 19th of April, do you recollect seeing him?—Yes.

633. Had you some talk with him on that day?—Yes.

634. Do you recollect what he said to you?—Yes.

635. About going to Richmond?—I told him I thought I should go to Richmond on Sunday, the 19th of April.

636. You said you should have to go to Richmond; did you ask him about how to get there?—Yes, I did.

637. Had he been in Cambridge before; what made you ask him about how to go to Richmond?—I was told to ask him; I had a reason to ask him.

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638. What did he say to you?—It was a very pleasant part of the country, and the way to go to it.

639. Did he say anything to you about Isleworth?—Yes.

640. What did he say about Isleworth?—He said he came from Isleworth; that was his native place.

641. Did he tell you when he had last been at Isleworth?—Last summer; he had not been since.

642. Do you know if his sister lives at Isleworth?—He told me she does.

643. Had you afterwards some talk with him; did you go with him some time after to Jesus College?—Yes; that would be on the following Wednesday.

644. He is employed at Jesus College, is he?—I believe so.

645. Did he say anything to you when you were going to Jesus College with him?—Yes; telling me where his sister lived.

646. What did he say about it?—That she lived in Watton-lane, Isleworth. He told me he had not seen her since last summer. I asked of him, and he told me previously, that he had not been out of Cambridge since Christmas, and then he went to Greenwich where his niece lived, and on that occasion he did not go down to his sister, but he should go this summer.

647. He hoped to go to Isleworth this summer?—Yes.

Cross-examined by Mr. *Slade*.

648. How do you get your living?—I am a labourer.

649. Nothing else?—Yes, I assist the sheriff's officer at times.

650. Anything else?—Sometimes I assist the county court officer.

651. Do you do a little in the racing line; do you lay a few bets?—Sometimes.

652. Are you very particular provided you get money, and provided it turns into your pocket?—I never get it dishonestly.

653. Were you ever servant to professor Thompson?—No.

654. Nobody of that name?—No.

655. Were you ever servant to anybody?—Yes.

656. Who?—The Venerable Archdeacon Thorpe, of Bristol, at Trinity College, Cambridge.

657. Were you discharged?—He left the college, and I left him; he did not require a servant.

658. You were not discharged?—No. He never comes down to Cambridge without calling upon me.

659. Were you ever servant at the college?—Never.

660. You have not quite told me how you get your living; have you any independent fortune?—Not a shilling.

661. When you bet, I suppose it is with the hope of winning?—I always stake, and I always hope to win.

662. What do you do, if you have not got a shilling?—By work.

663. What is your work?—I do any labouring I can get; every Friday night I go to the "Independent," and turn the machine to print the paper all night.

664. You are a pressman?—No, it is turning a handle.

665. That is on Fridays?—Yes.

666. What do you do the other days?—Whatever I can get.

667. Are you an odd man about town?—I sometimes serve writs for solicitors, and summon juries for quarter sessions and assizes.

668. Is that your business?—No, I do it for the sheriff's officer.

669. What is your regular business?—I am no trade; if it suits my purpose I do it. I would not carry coals; but anything else, anything for an honest living, if the job suited me. My wife is in a situation in one of the colleges.

670. You were set to ask Halsey a few questions?—I was.

671. What you call a plant?—Yes, perhaps it was.

672. You were set as a plant?—No; I was to ask the question.

673. Were you not put on the man as a plant purposely; honour bright, now, come?—I was to ask a question, and to get into conversation with him.

674. Who put you on him?—Am I obliged to answer?

675. Yes?—I was put on him by Mr. Eaden.

676. Tell us what he told you to do?—To get him some information, and to let

let him know; to hear if I could get any information, and to let him to know; but I was to get information.

677. Were you to be paid for it?—No.

678. Have you been paid?—I have never had a shilling, barring the money with my subpœna.

679. You never expect any?—I do expect to be paid for my time.

680. What do you expect to get for this pumping?—I have not the least idea.

681. Tell the Committee what you expect to get for pumping the man; what would be handsome; it is rather a dirty occupation; worse than the coals?—I do not think it was.

682. What do you expect for doing this dirty job?—I do not know what; I really cannot tell you.

683. Do you put it pretty high; do you think a sovereign would recompense you?—I should think it would.

684. Not much under a sovereign?—I should feel pleased with a sovereign. When solicitors have got to pay, they do not pay much.

685. You expect a sovereign?—No; I shall be very well satisfied with a sovereign.

686. You will not be very well satisfied with less?—I suppose I must be.

687. The question is, whether you will be; now is this the first time that you have been engaged in this sort of practice, pumping a fellow?—Yes, it is.

688. It is a new business with you?—Yes.

689. Did it not strike you as being rather a strange proposition, to ask you to get the man into conversation and see what you could get out of him?—No.

690. It did not strike you as being rather dirty?—No.

691. How did you get hold of Halsey; did you have a drop of beer with him first?—No.

692. You first began by telling him a lie; honour?—No, I did not.

693. You told him you wanted to go to Richmond?—It was on the Sunday morning, a beautiful Sunday morning, the first fine Sunday we had, and I said it was a beautiful day, and I should like a ride down the river, as the Londoners do, as far as Gravesend. He was telling me about his daughter, and I said to him, "You come from somewhere that way?" and he said, "Yes, I come from more Richmond way; Isleworth." I asked him how long it was since he had been there, and he said he had not been there since last summer; but he went away the day before Christmas to Greenwich (he had not been to London since), and then he did not go to Isleworth.

694. Were you instructed to find out something about Isleworth?—Yes.

695. Were your instructions to find ont if he lived at Isleworth?—I think I was to find out whether he had any relations there, and he told me he had a sister.

696. When were you told to find this out?—I should think about two or three days before that.

697. You waited till there was a fine Sunday?—No; it was the first time I met him.

698. You soon got it out of him?—Yes.

699. Did you go and tell your employer?—Yes.

700. Did he write it down?—Yes.

701. You did?—Yes.

702. Let us see the writing?—I have not got it with me.

703. Where is that writing?—I think it is in the book; I put it on a piece of paper; I forget whether it was a large sheet or not; I will tell you what I put on it.

704. Tell the Committee, on your oath, did you write down the substance of your conversation with Halsey on this 19th of May, the first fine Sunday?—I wrote down "Isleworth, Watton Lane." As I was going to tell him next day, I did not write it all down; I wrote down, "Watton Lane," and "Isleworth and Halsey," at the top of it.

705. Do you mean to say to the Committee, that that was the only memorandum you had of the conversation; I asked you if you put down the conversation?—I did not put down the conversation further than the heads of it, as I have told you.

706. You only put down Watton-lane and Isleworth?—And John Halsey.

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707. Did you put it down in a book?—Yes.

708. You are certain of that?—Yes.

709. Not upon a sheet of paper?—It was in a book; but only a loose book, as the book was nearly worn out.

710. Was it your betting book?—There were a few bets in it.

711. Have you got it in your pocket now?—No, it is not a betting book; I do not lay 5*s.* in a year sometimes.

712. Can you get that book?—I believe I could.

713. Where is it?—At my house.

714. In Cambridge?—Yes.

715. Are you married?—Yes.

716. By sending a letter down to your wife she would send it up?—If I write it myself she would. I can get the book.

717. In which this memorandum is to be found?—Yes.

718. Did you show that memorandum to Mr. Eaden?—No; I held it in my hand, and told him it, and he wrote it down; he never saw it; I sat on a chair, and Mr. Eaden sat about as far off me as this gentleman does, and he put it down.

719. How came you to have the conversation with him afterwards; when did you put this down in the book; after the first conversation or the second?—I put it down after the first conversation.

720. I do not want to catch you; did you put it down after the first or second conversation?—I put it down after the first; I walked from my house; it was within 100 yards of my house, and I wrote it down in my pocket-book.

721. You just said it was at the second conversation that he told you that his sister lived in Watton-lane?—I never said so.

722. What induced you to go and seek another interview with him on the Wednesday following; did Mr. Eaden tell you?—To get his sister's name out of him.

723. You had gone and told Mr. Eaden what took place on the Monday, and then he said you must go and have another turn at him?—Yes, exactly.

724. I must ask you, are you not forbidden to go into Trinity College again?—No.

725. You swear that?—Yes; I was there at the flower show the other day. The porters stood there; I go in on business; I had some money to collect under a deed of assignment, and I went round to the gentlemen's rooms. The porter showed me where they lived. I have served writs on gentlemen in Trinity, and I have sums of money to collect under a deed of assignment, and I went into Trinity just the same as I would walk along the street.

726. When you have writs in your pocket?—Or without. I took my wife to Trinity Chapel; the porters all stood there, and they have known me for 20 years.

727. Were you ever employed at Trinity College?—Yes, by Archdeacon Thorpe.

728. Were you discharged from the College?—Never. I never had a place under the College; I was Archdeacon Thorpe's private servant.

729. Did he not discharge you?—He left the University, and has got a living, and keeps no servant to this day.

730. Did he not discharge you?—No; he was going to apprentice me to a brewer, and pay it out of his own pocket, or anything I thought I could get a living by.

Re-examined by Mr. *Power*.

731. I believe you are on good terms with Archdeacon Thorpe still?—Yes; he comes to my house, and sits and has a talk with me, and wishes me well.

732. About old times?—Yes.

733. My learned friend has asked you about this pumping; did this gentleman, Mr. Eaden, say that he had heard that this man had never been out of Cambridge?—I was sent to Mr. Eaden by another party; and when I got there, Mr. Eaden said he had been paid expenses for coming from Isleworth, and they were of opinion that he had never been to Isleworth; I directly told Mr. Eaden, and I said he must have been; I saw him on the Sunday morning about 12, for he spoke to me of my neighbour that had just died in his chair, a person of the name

name of Dolby; he said, "Poor Dick is gone;" and I saw him the next morning; that was about 10 minutes to eight. When Mr. Eaden told me this, I said, "Is there a possibility of his going to Isleworth and getting back in time?" He was clean as if he was going to the hustings to vote on the Monday morning. *E. Sanderson.* 27 June 1857.

734. Did you enter into this conversation with him to ascertain whether he had been to Isleworth previously to the election or not?—Yes.

735. After you had ascertained that fact, did you communicate it to Mr. Eaden?—Yes.

736. You made a memorandum of it in your pocket-book?—Yes.

737. The heads of it?—Yes.

[The Witness was directed to withdraw.

John Eaden, Esq., was called in; and, having been sworn, was Examined by Mr. *Power*, as follows:

738. YOU are one of the agents of the petitioner?—Yes. *J. Eaden*, Esq.

739. With reference to the case of Halsey, had you received any information previously to your employing Edward Sanderson?—Yes.

740. From whom had you received that information?—I had received information from Leland, the first witness who was examined.

741. Did you know at that time that the man had received 13*s.* 6*d.* as if he had come from Isleworth to vote?—I knew that he had.

742. Knowing those facts, and having heard what Leland had stated, did you employ Sanderson, and what directions did you give him?—I gave him the information which I had, and which of course was of a hearsay nature; and I wished him to get into conversation and ascertain whether he had been to Isleworth or not. Sanderson is a neighbour, and as I knew him, I thought he was the best person to do it.

743. Did he come to your office some time in April?—Yes, he did, and gave me information from which the proof in the brief was drawn.

744. Had he at that time any memorandum with him?—I believe he did produce a book; I did not see it; he produced a memorandum-book which gave the address, I think, but not the name of his sister. I think I asked him to ascertain that for me.

745. From what he told you, have you prepared his proof that my learned friend has examined him from?—Yes.

Cross-examined by Mr. *Slade*.

746. Do you know anything of Sanderson?—Yes.

747. Is his own account of himself pretty true?—I believe it is, from what I know of him; I never heard anything in my life against the man's character. I am myself the registrar of the county court, and I know that he is occasionally employed to assist the officer there; I also know him, as he appears to take a very active interest on our side of the question at elections.

748. He is a pretty warm partisan of yours?—He has always appeared to be so.

749. Was he one of the paid messengers?—Really that I do not know.

750. Was he a voter?—No, he was not a voter.

[The Witness was directed to withdraw.

[*The order for the payment of money to the voter was handed in.*]

Mr. *Slade* submitted that his learned friend was bound to show that the man had received the money, and submitted that the order was inadmissible as against the voter.

Edmond Foster, Esq., further Examined by Mr. *Power*.

E. Foster, Esq.

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751. LOOK at that writing (*handing the order to the Witness*); is that in the handwriting of your clerk?—It is.

Mr. *Slade* submitted that this was not the way to prove handwriting.

752. Mr. *Power*.] Was the money paid to the person who produced that order?—It was.

753. Mr. *Slade*.] Did you see Halsey?—Yes.

754. Did you see him produce that order?—I cannot swear to the particular individual; some one produced this order. He told me that he could not write his name, and thereupon I got my clerk to witness the mark of that party.

755. Are you prepared to say that it was John Halsey?—No, I am not.

Mr. *Slade* submitted that his learned friend must call Halsey, or some one who witnessed the mark.

The *Chairman* stated that the Committee were of opinion that there was *primâ facie* evidence that Halsey received 13 *s.* 6 *d.*

Mr. *Slade* stated that he must apply to the Committee to let the case stand over, to enable him to produce Halsey.

Mr. *Power* heard against the application for adjournment.

Application for adjournment refused.

Frederick Barlow, Esq., further Examined by Mr. *Slade*.

F. Barlow, Esq.

756. YOU are the agent for the Sitting Member?—I am.

757. Do you remember John Halsey coming to you?—I recollect a man coming to me, calling himself John Halsey.

758. Have you a note in the counterfoil of your order for the payment?—I have the check; the part of the check-book left; an order to pay John Halsey, railway and cab from Isleworth to Cambridge, 13 *s.* 6 *d.*

759. Have you any recollection of what he sta ed?—

Mr. *Power* objected to the question.

Mr. *Slade* stated that when Mr. Barlow paid the money, the Committee were entitled to know upon what representation he paid the money.

The *Chairman* stated that he thought that the Committee had already had that shown; that his impression was, that it was not evidence upon this issue, but that the Committee did not think it of the slightest importance.

760. Mr. *Slade*.] (*To the Witness.*) Did you prepare that proof of Halsey (*handing a paper to the Witness*), or was it prepared under your directions?—It was prepared under my instruction.

761. Did you receive that information which you find there from Halsey's own mouth?—I really cannot swear that; I should say that I did; but I cannot positively swear it; I do not recollect the man.

762. Was Halsey here prepared to support his case?—He was.

763. By the *Committee*.] Do you know him by sight?—I do not know him, but my clerk does; he had them all here, and I know that instructions were given by myself.

764. Is your clerk here?—Yes, he is here.

[The Witness was directed to withdraw.

Mr. *George Farney* was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Mr. *G. Farney*.

765. YOU are clerk to Mr. Barlow?—Yes.

766. Do you know Halsey?—Yes.

767. The voter?—Yes.

768. The man who is objected to?—Yes.

769. Had

769. Had you him up here with the other voters to support his vote?—Yes. Mr. *G. Farney.*

770. He was up here and has gone down again?—Yes. 27 June 1857.

770*. By the *Committee.*] Did you know of that order being given to Halsey?—I knew that an order was to be served upon him.

771. No, but an order for the payment of 13 *s.* 6 *d.*?—I did not know that, only seeing it in the book since, that he has been paid; I have the order-book in my hand.

772. Mr. *Power.*] It is the same man?—Yes.

773. By the *Committee.*] Will you swear that that order was given to Halsey, or did he apply for that order?—Yes.

[The Witness was directed to withdraw.

Mr. *Slade* again applied for an adjournment to enable him to produce Halsey.

Mr. *Power* heard against the application.

The Committee-room was cleared.

After a short time the counsel and parties were again called in, and informed by the Chairman that the Committee had resolved that the case should be proceeded with forthwith.

Mr. *Slade* was then heard in support of the validity of the vote of John Halsey, and contended that he had received the money not for having voted, but on account of travelling expenses.

Mr. *Power* was heard in reply.

The Committee-room was cleared.

After a short time the counsel and parties were again called in, and informed by the Chairman that in this case the Committee had come to the resolution that this was a bad vote, and must be struck off the poll.

[Adjourned to Monday, at Twelve o'clock.

Lunæ, 29° die Junii, 1857.

RICKARD DEASY, Esq., IN THE CHAIR.

At the meeting of the Committee, Mr. *Coleridge* stated that he would next take the case of Richard Stamford in the same class as a vote which ought to be disallowed upon the ground that he was employed as a messenger by the two Sitting Members.

Mr. *William Smith*, sworn; Examined by Mr. *Coleridge.*

774. WERE you, at the time of the last Cambridge election, keeping the Bell and Crown public-house, in Bridge-street, Cambridge?—I was. Mr. *W. Smith.*

775. Do you know Richard Stamford?—I do. 29 June 1857.

776. Is he one of the voters?—Yes.

777. Had you kept this public-house some time before?—Yes.

778. Do you recollect Stamford being in your house on the evening of the nomination day?—Yes.

779. Was he there with several other people, drinking?—Yes.

780. Do you recollect something passing in your presence; his saying something about his vote, as to what he would do?—He said he would not vote unless he was paid for it; he had done so previously.

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781. He had said so more than once?—He said that repeatedly.

782. Did he say who he would go to see?—After the nomination on Saturday; this was previous to the nomination. I heard him say he would not go unless he had money for it.

783. On the evening of the nomination?—On the evening of the nomination he was in my house.

784. What did he say then?—He said he was determined to have something; he should not give his vote unless he had something. He said he should go and see Teddy Lawrence.

785. Who is Teddy Lawrence?—A liquor merchant.

786. Was he a member of Macaulay and Steuart's committee?—I believe he was.

787. Mr. *Slade.*] You believe?—I am sure he was; he is a Conservative.

788. Mr. *Coleridge.*] Was he acting on Steuart and Macaulay's committee?—I do not know whether he was or not; he came canvassing me for my vote; he came from Mr. Macaulay.

789. He said he would go and see Teddy Lawrence; what did he say more?—He said he should make him put him on some way or other, or he should not vote.

790. Do you remember anything about losing his day?—He said he would not lose his time for nothing; he should be paid for it.

791. He said he should go to Teddy Lawrence?—He said he should go to Teddy Lawrence, and make him put him on, or he would not vote; he left my house and went to Lawrence.

792. Did he tell you where he should go to?—He said he should go and see him there and then.

793. *Committee.*] See Lawrence?—Yes.

794. Mr. *Coleridge.*] Did he come back that night?—He came back that evening, about 10 or 11; I cannot say the time exactly.

795. What did he say when he came back?—He said he was on, "all right."

796. Did he say where he had been?—He said he had been to Lawrence's, and had got on, all right.

797. Did you see him on the day of the polling?—I saw him pass my house in a fly.

798. About what time in the morning?—About nine in the morning, or a little after.

799. Which way was the fly going?—The fly started, I believe, from Lawrence's; as it passed my house I saw Stamford, and Cousins, and another person whom I could not recognise.

800. Who is Cousins?—A man who lives next door to Lawrence.

801. Do you know what he is?—A broker.

802. Was he on the committee?—I do not think he was.

803. Which way were they going?—Going towards Parker's Piece.

804. Did he come to his house soon after that?—About half-past 10; I met him going up Castle End.

805. *Committee.*] The morning of the polling day?—Yes, going up to Castle End.

806. In a fly?—No, walking.

807. Mr. *Coleridge.*] Is that up by the Courts?—By the County Courts.

808. That is the other end of Cambridge?—Yes.

809. Mr. *Slade.*] What time was this?—About half-past 10 in the morning.

810. *Committee.*] The first time he was going in a fly?—It was about nine, or a little after.

811. He was going to the polling booth?—Yes; between 10 and half-past 10 I met him going up Castle End. We stopped and talked together. I asked him if he had polled. He said, "Yes;" and he said, "I will go back and have a glass of ale, and stand one for you." He went back to my house, and stopped till 12 or 1 o'clock; a little after 12 he went away.

812. At your house?—Yes; my house is close by Lawrence's.

813. Mr. *Coleridge.*] How far is that from Castle End?—It may be a mile and a half from the hill.

814. When was the last time you saw him at your house?—Between 12 and 1 I left him at my house; I left him drinking, and smoking his pipe.

815. Did you see him again that day?—Yes; I saw him again that day, evening as well.

816. Where

816. Where was that?—He came to my house again about three or four.

817. How long did he stay then?—I cannot say how long he stopped at that time.

818. Did you see him again after that?—I saw him again in the evening.

819. The same evening?—Yes; we met at eight, or nine, or ten; he stops at my house every evening, and has his pipe.

Cross-examined by Mr. *Slade.*

820. What is this house of yours; a beershop?—No, a licensed public-house.

821. What was he doing when you saw him, between three and four, on the poll-day?—I think he was half drunk.

822. That is no answer to my question?—He was drinking at my house.

823. What time did he come in then?—I cannot say; I cannot answer that; he was in and out; I cannot tell what time, exactly, he came in.

824. You saw him in the morning take a voter to the poll?—I saw him in the morning in a fly; I do not know whether he was taking a voter to the poll; he had got this Cousins with him.

825. Do not you know that Cousins is a voter?—I do not know it.

826. Which way were they going?—To Parker's Piece.

827. Have you any belief whether Cousins was a voter or not?—I have no belief at all.

828. *Committee.*] At three or four o'clock he was in your house drinking a second time?—Yes.

829. You stated before, he went with you to your house?—That was between 10 or half-past 10, and stayed there till a little after 12; I did not stay in my own house at that time; and I left him there.

830. When did you see him again?—Between three and four o'clock, I think it was.

831. Mr. *Slade.*] Did you not tell that gentleman, who first examined you, that Cousins was with him in a fly, and that he was a voter going to the poll?—No; I said Cousins was in the fly; I did not know whether he was a voter; I do not know now whether he was a voter.

832. Whereabouts is Castle End; how far is it from Parker's Piece?—About two or three miles.

833. He was up there?—Yes; I met him coming up there.

834. Were any voters there?—I do not know.

835. Do not you know whether voters live up there?—There are plenty living in Castle End, and every other street in the town.

836. Were there flys up there?—Yes, plenty.

837. That was for the election?—Yes.

838. Placarded?—Yes, certainly.

839. What time were you up there; about half-past 10 in the morning?—I was up at Castle End between 10 and half-past.

840. Were you doing anything up there?—No.

841. You were keeping a public-house two or three miles off?—I was doing nothing up there; I merely went for a walk.

842. You merely went for a walk on the day of election; on your oath?—Yes.

843. How far is the inn you keep from that place?—The inn I keep, from where I met Stamford, was about half a mile.

844. What were you taking a walk for on the day of polling, at half-past 10, half a mile from your house?—I very often go; I go where I please; I was not on any business; I was on my own hook.

845. How far did that walk lead you?—No further than my own house.

846. Where had you been?—I had been up no further than to my own house.

847. Where had you been?—I had been up as far as Mr. Stevens's.

848. How far is that from your own house?—A quarter of a mile.

849. What did you go to Mr. Stevens's for?—I went to see a party there.

850. A voter?—No.

851. Is Stevens a voter?—Yes; I did not go to see him, I went to meet my brother.

852. That is the party, then?—Yes.

853. Why could you not say your brother at once?—That is who I went to see.

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854. Does he live there?—No.

855. Did you know he was to be there?—No; I knew he went up Castle End; I called in there, and had a glass of ale, and walked back again.

856. I thought you said you went to see a party?—I went up there for a walk to see if I could find my brother, and I called in at Stevens's, to see if he would walk with me.

857. Did you find your brother at Stevens's?—No.

858. Where did you find your brother?—At my own house.

859. Had you voted?—I had voted.

860. Early?—I voted between one and two o'clock.

861. You had not voted then?—No.

862. Did you take a pretty warm interest in the election?—No.

863. Did you always vote on the same side?—Yes, I did.

864. Always?—Yes.

865. Do you know a man called Burbage?—Yes, I do.

866. Then you lost sight of Stamford from half-past 10?—Between 12 and 1.

867. What did he do at half-past 10?—I met him; he was walking up Castle End.

868. Did he go back to your own house?—Yes.

869. What time did you get back to your own house?—It might be 20 minutes to 11.

870. Stamford told you then he had voted?—Yes, he had voted.

871. Did you tell him that you had not?—I did.

872. How came you not to vote early?—I do not know, really; it was an appointment for three or four of us to go up between 12 and 1, or it might be 1 or 2; it was agreed on between two or three friends.

873. Was Burbage one of those?—No, I should be very sorry.

874 Why so; he votes with you, does he not?—I believe not.

875. Do you know?—I do not know anything at all about him.

876. You made a very melancholy shake of the head when you said you should be sorry?—He is of different opinions to me; I know nothing about Burbage, except his coming to my shop to repair it.

877. Then you lost sight of Stamford at half-past 12, and found him between 3 and 4 at your house?—Yes.

878. You say you did not tell Stamford that you had not voted?—I believe I did; I said I am in no hurry.

879. Did you tell him who you were going to vote for?—He knew.

880. Did you tell him?—I did not think proper to tell him.

881. Did you tell him or not?—I will not swear I did not.

882. Do not you know that you did not tell Stamford?—I will not swear it; he knew who I promised.

883. Who?—Mr. Macaulay was the first gentleman; I told him I thought I should not vote for him; I was asked once by Mr. Hibbert, the only time I saw him, and I promised; I said I shall vote for Mr. Adair and Mr. Hibbert. Mr. Steuart next called; I sent my wife to say, I did not want to see him; I promised my vote, and I shall give it.

884. Now you have refreshed your memory, did you tell him who you were going to vote for?—Really, I will not swear; I cannot recollect whether I did or not. He did not need to ask me; he knew who I was going to vote for; he was certain who I was going to vote for.

885. Did he ask you?—I do not think he ever did: I do not believe he ever did; he was certain who I should vote for without asking.

886. Did you know who he was going to vote for?—Yes.

887. Who?—He told me he should vote for the Tories, but not unless he was paid for it. He is here, and he will tell you the same as I tell you.

888. He was a Liberal in heart?—Yes.

889. Yet he always voted for the Tories?—Yes.

890. Is that the price of votes in Cambridge, 7*s.* 6*d.*?—I do not know what he had.

891. Just take care; according to your account, he said he should not vote unless he was paid for it, and he said that repeatedly?—Yes, more than once, and he hoped his arm might drop off his body if he voted without.

892. Perhaps he might have said he hoped that his tongue might drop out of

of his mouth if he said the name of Steuart and Macaulay, unless he was paid for it?—No.

893. What did he talk of his arm then; you have not got the ballot?—I cannot tell what his meaning of it was.

894. Let us have that again?—He hoped his arm might drop from his body if he voted for a Tory, unless he was paid for it; or, if he voted at all, unless he was paid for it.

895. What part of the house was this said in?—I do not know; it was said repeatedly; it might be in the tap-room.

896. Was this peculiar expression made use of more than once?—It was made use of more than once.

897. Was it made use of in the tap-room, or in your own private room?—I will not say it was in the tap; if it was in the little room, it was in the house.

898. And he said that repeatedly?—Yes.

899. Repeatedly in the same room, or different rooms?—I cannot say that.

900. Was anybody there besides you?—I believe there are plenty of people who have heard him, only they do not want themselves officious to come up here.

901. Give me the name of one person who was present, and I will have his name written down?—I believe Mr. Flummett.

902. I will have no believe?—I did not take notice at the time, but I have heard him.

903. Do you recollect the name of any person?—No, I do not; not at present.

904. How many do you think were present?—I should think my room was full several times when he made use of the expression.

905. *Committee.*] When he used the expression several times that his arm might drop off?—Yes.

906. Mr. *Slade.*] Your room was full?—Yes.

907. He made no concealment?—No.

908. There he was, ready to be sold and bought by either side?—I will not say either side; he was determined to have money for his vote.

909. He plainly stated it?—He always had had money, and always would.

910. Did he say so?—Something of that sort.

911. What was it?—That he would have money; that he would not lose his time for nothing. He had had money, and he would again, for his vote. I do not think he said always, but he said, "I have had money for my vote, and I will have it again."

912. This was the evening before the nomination?—No.

913. Yes it was?—I will not swear it was the evening before that, as far as the arm dropping off his body; I will not swear what day that was.

914. Did you say you saw him in your house on the evening of the nomination day?—Yes.

915. Was that evening the occasion that he said he would not vote unless he was paid for it?—He did.

916. Were there many people then present?—Yes.

917. Can you tell me the name of anyone present on that day?—A man of the name of Matthew Brown.

918. Where does he live?—He lives in Magdalen-street.

919. Anybody else besides Brown?—Yes, several.

920. Give me the name of any other?—There were several there; I cannot give you the names of them.

921. You and Mr. Brown have come up together to prove this case?—We have come here.

922. To prove this case?—I do not know about proving the case; we have come up here to speak the truth.

923. Have you and Brown been living together?—No.

924. Not lodging together?—No.

925. Have you seen him to-day?—Yes.

926. How long have you been in London?—Three days.

927. Have you seen Mr. Brown every day?—No.

928. How often have you seen Brown?—Just as I have seen him in the lobby.

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929. You parted with him when you got to London?—Yes.

930. He went one way, and you another?—Yes.

931. Was Brown there when he said he hoped his arm might drop off?—I do not know.

932. Did you ever tell Brown that?—Brown has heard it spoken to him in my room many and many a time.

933. Heard what?—Heard me accuse him of it, and he has only laughed at it when we have been telling him what he said.

934. Brown has heard you accuse him of his wishing that his arm might drop off his body?—Yes; I do not know whether he has heard him himself or not; I have never asked him.

935. Was this arm dropping off before the evening of the nomination day?—Yes, some considerable time before that.

936. Can you give us an idea of how long?—I cannot.

937. *Committee.*] Did he say at any time that he would vote for the Liberals if he got that?—I cannot say; he said he was Liberal at heart, but as he had voted for the Conservatives, he would not change.

938. On that occasion when he was in your house?—Between three and four on the polling day.

939. How long did you know of his being in your house then?—I cannot say how long he was there.

940. How long had he been there?—He was running in and out; I was not in my own house many hours.

941. When did you see him again?—In the evening; he was smoking his pipe and drinking his glass every day; he was a customer of mine.

942. You cannot say how long he was in your house?—I cannot.

943. Nor how long he stayed?—No; in the morning I could, because he went back with me, and stayed till I went away.

944. You have no knowledge how long he remained in your house in the afternoon at all?—No.

Re-examined by Mr. *Coleridge.*

945. You went away to vote between twelve and one?—Between twelve and one, or one and two; I cannot say the exact hour.

946. How long were you away?—I voted and went away again. I might have stayed about half an hour or so.

947. How far is the polling-place from your house?—A mile, I should say.

948. You walked a mile, and a mile back, and stayed half an hour?—No, I drove my pony and trap.

949. How long were you away from your house?—I cannot say that.

950. Did you find him there when you got back from voting?—No; this was between three and four when I saw him there.

951. You say you were in and out; what were you about?—I was anxious to hear. There was the excitement of the election, and I went to and fro, to see how they were getting on.

952. You were a good deal in and out of your house?—Yes, backwards and forwards to Parker's Piece.

953. You do not know how long you yourself were in your house?—No.

954. You found him there?—That I cannot say.

955. You found him there?—He was in my house in the afternoon, and again in the evening, and with me, smoking his pipe and drinking his glass in the morning.

956. Was there a pretty good number of people in your house the day before the election?—Yes.

957. Was the election a matter they talked about?—Yes, for weeks before.

958. There was a good deal of talk at that time in Cambridge, I believe?—Yes, a week before.

959. And this man was a customer of yours?—An every day customer; in fact one of the best customers I have.

960. When he was there and other people were there, just before the election, this conversation about the election came up, and he repeated what you have told us from time to time?—Yes.

961. Did

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961. Did he say it in the presence of many persons?—Yes, he has said the same thing repeatedly.

962. Were the persons in whose presence you spoke to him the same people always, or different people?—Regular customers; in and out customers; I cannot say exactly who they were at the time.

963. When you say this was repeated often, were the persons in whose presence it was repeated different persons at different times?—No, principally regular customers.

964. Can you give us at all a notion of how many people—how many people will your room hold when it is full?—Sometimes from a dozen to fourteen; sometimes more, and sometimes less.

965. Mr. *Slade.*] When did you tell of this?—I never told to any one.

966. *Committee.*] Never told what?—Of Stafford being in my house and saying this; no further than my own public-house.

966*. You never told any one?—No.

967. Mr. *Slade.*] Did you go to the other side?—What other side?

968. Mr. Eaden?—I was sent for by him; I did not know what I was going for.

969. When was that?—A fortnight ago.

970. *Committee.*] Did you tell Mr. Eaden what you have told us to-day?—Mr. Eaden asked me if any such conversation took place in my house, and I said there was. How Mr. Eaden got to know, I don't know; it was not through me.

971. Mr. *Coleridge.*] You did not go first to Mr. Eaden?—Certainly not; when I was sent for, I did not know what I was going for.

972. Is that what you mean by saying you never told any one?—Yes.

973. Some one found it out?—Yes.

974. *Committee.*] When you saw Stamford near Castle-end on the morning of the polling day, what was he doing?—Merely coming up there, and taking a walk the same as I was doing. He said he had nothing to do, and he said he would go and have a glass with me.

975. Was he walking leisurely?—Yes, to see how the election was going on.

976. Did he use those words to you, that he had nothing to do?—Yes, he was taking a walk the same as I was; he was anxious as a voter, as well as myself.

977. He was anxious about Steuart and Macaulay's election?—Not at all anxious; it did not matter much to him.

978. I thought you said he was anxious?—Merely to hear how it was going on.

[The Witness was directed to withdraw.

Mr. *Matthew Brown*, sworn; Examined by Mr. *Coleridge.*

Mr. *M. Brown.*

979. ARE you a baker living in Magdalen-street?—Yes.

980. Do you know Richard Stamford?—Yes.

981. Do you remember seeing Richard Stamford at the Bell and Crown public-house?—Yes.

982. Is that the public-house kept by William Smith?—It was at that time.

983. When was that, before the election, or after, or when?—Before the election.

984. Before the nomination?—I think I have seen him there several times before the nomination, and on the nomination day too.

985. What did you hear him say?—I heard him say that he never had voted without money.

986. Tell us what he said?—I heard him say, he never did vote without money, and he'd be damned if he ever would; and then on the same evening——

987. When was that?—After the nomination, the same day as the nomination.

988. What did he say more than that?—He was going to his old friend Teddy Lawrence to get put on, for he wanted money.

989. That was the evening of the nomination day?—Yes.

990. Did he go out after that?—Yes, he went out after he said that.

991. Did he say where he was going to?—I do not know that he did; I cannot say.

992. Were there many people there?—Perhaps 18 or 20.

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993. Were they all talking, or how?—He went out and came in again.

994. Was there talking going on about the election?—Yes, they were all talking about the election.

995. And he said this?—Yes.

996. Did he come back again?—Yes.

997. A long or a short time afterwards?—Perhaps a quarter of an hour or 20 minutes.

998. Between a quarter and half an hour he came back again?—Yes.

999. What did he say when he came back?—He said, "All right, I have got put on."

1000. Did he say where he had been?—No; he said, before he went out, he was going to his old friend Teddy Lawrence.

1001. And he came back, and said, "It was all right, he had got put on"?—Yes.

1002. Did you see him at all on the day of polling?—I saw him once about half-past two or three.

1003. Where did you see him?—I saw him going into the Bell and Crown.

1004. Did you go in with him?—No.

1005. You say he said this on the evening of the nomination?—Yes.

1006. Had he ever said anything of the kind before?—Yes, several times previous to that.

1007. What have you heard him say previous to that?—That he never had voted without money, and never would.

1008. Have you heard Mr. William Smith talk to him since the election?—Yes.

1009. About his vote?—Yes; and said he ought to be ashamed of himself to vote in the way he did.

1010. What have you heard him say?—I have heard him say that he ought to be hung for taking money, and chaffed him; nothing further.

1011. There was chaffing went on between them?—Yes, frequently.

1012. Did Smith ever say anything to him about anything that he, Stamford, had said?—Not that I am aware of.

1013. Has there been much chaffing between them in your presence, more than once?—Several times; but I have taken no notice of it.

1014. Often when you have been there, they have chaffed one another about this matter?—Yes, frequently.

Cross-examined by Mr. *Slade.*

1015. Did Smith keep a regular public-house?—The Bell and Crown.

1016. A licensed house?—Yes.

1017. How long has he given it up?—I should think about two months.

1018. What is he doing; anything?—I believe he has had some property left him.

1019. Living independently?—He is now; he is doing nothing now.

1020. Is he in lodgings?—No.

1021. Where is he living; on his own property?—No, he hires a house in Jesus Terrace.

1022. Was this Mr. William Smith's house frequented by the Liberals principally?—I cannot say; there were all sorts, Whigs and Tories too.

1023. Anybody came in and chatted?—Yes.

1024. Just about election time a good deal of chaff is going on?—It is always so at election time.

1025. You are not very particular; you chaff one another?—We do in general; there is a deal of chaff in election times, always.

1026. Was Smith well known to be a Liberal supporter?—I believe he was.

1027. And was Stafford just as well known to be an out-and-out Tory?—I believe he was; but not in principle.

1028. I suppose there is not such a thing as a real Tory left in Cambridge?—I think a good many.

1029. Do you think there is such a thing as a Tory left in Cambridge in principle?—I cannot tell you.

1030. What

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1030. What makes you think this man is not a Tory in principle?—I think no rational man could be.

1031. Do you think Stamford a rational man?—He is sometimes.

1032. Did you and Smith come up together?—We came up the same morning.

1033. Have you seen him since?—Yes.

1034. Pretty often?—I have seen him several times.

1035. When did you come up?—On Thursday morning.

1036. You came here on Thursday morning?—Yes.

1037. Did he come too?—Yes.

1038. Were you here on Friday?—Yes.

1039. Was he here too?—Yes.

1040. And on Saturday?—Yes.

1041. And he here to?—Yes.

1042. Did you see him to speak to him all those three days?—Yes, several times.

1043. And talked a good deal with him?—No, not a great deal with him.

1044. Ordinary conversation you talked about?—Yes.

1045. Were you with him, together, yesterday?—No.

1046. You did not see him yesterday?—No.

1047. You are not lodging at the same house?—No; I am lodging at a son's of mine.

Re-examined by Mr. *Coleridge.*

1048. Where does your son live?—In Tower-street, Westminster-road.

1049. Do you know where this other man has been living?—No, I do not.

1050. Did other witnesses come up with you, at the same time, from Cambridge?—Yes.

1051. Have you been here, each day, in the lobby?—Yes.

Mr. *Coleridge* stated that that would be the case, with the exception of the formal proof of the payment to Stamford, which had already been proved by Mr. Foster and Mr. Barlow.

The *Chairman* said, that the formal proof must be considered as put in, that the voter had voted at the last election, and that he had received payment.

Mr. *Coleridge* then submitted that this vote was a bad vote, and must be struck off the poll.

Mr. *Slade* was then heard in support of the validity of the vote.

Mr. *Richard Stamford,* sworn; Examined by Mr. *Cooke.*

Mr. *R. Stamford.*

1052. ABOUT what time have you lived in Cambridge?—Twenty-three or 24 years.

1053. You have been a voter at several elections?—I think only three elections.

1054. You voted at the last election for Mr. Macaulay and Mr. Steuart?—I did.

1055. Had you promised your vote previous to the day of polling?—Yes; to Mr. Macaulay and Mr. Steuart; when they canvassed me, I promised them faithfully I should be there, and vote for them.

1056. You promised the candidates?—Yes.

1057. About what day was that?—I cannot say to a day or two.

1058. Was it a week before the polling?—About three or four days.

1059. Was that the first time you were canvassed by him?—Yes.

1060. Were you employed on the day of election in any capacity?—

Mr. *Power* objected to the question, as being a leading question.

1061. Mr. *Cooke.*] Did you act, on the day of election, in any capacity?—As a messenger.

1062. Were you appointed by any one?—By Mr. Lawrence.

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1063. Is he a liquor merchant?—Yes.

1064. Do you mean Mr. Lawrence appointed, or did he recommend you to anybody?—He gave me a note to Mr. Barlow, as a messenger; he told me he should want me as a messenger.

1065. He gave you a note, which note you delivered to Mr. Barlow?—Yes.

1066. Did Mr. Barlow give you instructions to act, after receiving that note?—He said I was to be considered to be employed as a messenger.

1067. Were there flys used on the election by both sides; some for Macaulay and Steuart, and some for Adair and Hibbert?—Yes.

1068. Were there any stationed near Mr. Lawrence's house?—Yes; down by the bridge.

1069. Did you take any person up to poll in one of those flys?—No; I went down several times for the flys, for different voters.

1070. Did you go up to the poll yourself in one of those flys?—Yes.

1071. Did you take any voter with you?—Yes; Mr. Cousins.

1072. Did he poll before you?—We polled together.

1073. What did you do, as a messenger, on the polling day?—I ordered those flys to be brought up to take the voters, and I went after a voter several times, but he was not at home.

1074. What end of the town was that where you went to; what was the name of the voter you went after several times?—Gaylor.

1075. Where does he live?—At Portugal-place.

1076. Is that near Castle-end?—No.

1077. Were you at Castle-end in the morning part?—Yes; I called as I went up.

1078. Do you remember meeting Smith, of the public-house—the Bell and Crown?—Yes, I saw him up there.

1079. What were you doing when you met him?—Walking, and looking out to see if I could see any person that was going to vote, so that I could get a fly, and put them in and see them off.

1080. What was Smith doing?—He was along with his pony and gig, which the other party had hired for the occasion.

1081. At Castle-end?—Yes.

1082. Not walking about?—I believe they had got a little committee held at the public-house.

1083. Which public-house; the one at Castle-end, or at his own?—I do not say he had a committee there, but they had a committee at Castle-end; they were friends of his.

1084. Where?—Opposite the church.

1085. The White Horse; is that the name of it?—Yes.

1086. At Castle-end?—Yes.

1087. Was it near there that you found Smith?—Yes.

1088. Was his pony and gig there?—Yes; outside.

1089. Did you go back with him to the Bell and Crown?—I think we did, and had a glass of ale.

1090. Did you walk or ride back?—Walk back.

1091. How did Smith go; walking or riding?—I think he walked.

1092. How long were you in the Bell and Crown, on that occasion, having some beer?—I was in and out all day; he is a particular friend of mine; I was in the habit of using the house; I was in and out lots of times; sometimes I sat down and had a pipe.

1093. After the time you first went to Smith's house, what else were you doing connected with the election?—When I was wanted, I used to go and see if there were any orders.

1094. Where was that to?—Against Lawrence's, in Bridge-street.

1095. Where the flys were?—Yes; the person who engaged me as messenger.

1096. Was Smith's house the place where the voters of Colonel Adair frequented?—There was voters on both sides.

1097. Were you looking after any voters at Smith's house?—I was looking out to see what was going on.

1098. Did you ever say to Smith that you wished your arm might drop off if you voted without being paid?—Not those words.

1099. Or words like them?—No, to the best of my knowledge; it was chaff altogether; there never was such chaff going on in any house during the election as in Smith's.

1100. Is there any truth in saying that you used any such expression, that you wished your arm might drop off?—No, I do not recollect saying a word of that sort.

1101. Or words like that?—I had made up my mind to vote for Macaulay and Steuart, and promised them the first thing when they canvassed me.

1102. Were they chaffing; you them, and they you?—Yes; always chaffing.

1103. Did you say there, that you yourself never had voted without being paid, and never would?—No; how could I say that?

1104. I merely want to know for the information of the Committee?—No; I do not recollect saying that; how could I say that, when the gentlemen were unseated? I went and voted for them when the two Liberals got in, and there was no money spent then, I know.

1105. Did you vote for Mr. Slade when he was there?—Yes.

1106. Nobody got anything from my friend Mr. Slade; had the appointment of messenger any effect on your vote?—None.

Cross-examined by Mr. *Power*.

1107. You are a boot and shoemaker?—Yes.

1108. When did you first vote; was it when Mr. Macaulay was a candidate before, when you voted for Aston and Macaulay?—Yes, that was my first vote.

1109. How much money did you receive for voting then?—£. 10.

1110. When Mr. Macaulay stood before?—Yes.

1111. Did you, on that occasion, go along with Mr. Taylor in the same fly?—Yes.

1112. You were taken up?—Yes.

1113. Who took you up on this occasion to vote?—No one.

1114. Will you swear that?—Yes; Mr. Lawrence and I went up with the fly.

1115. Was not Mr. Lawrence the person who took you and Cousins in that fly?—No.

1116. Was not Mr. Lawrence in that fly?—No; a Mr. Lawrence, the corn merchant, a nephew.

1117. A nephew of Teddy Lawrence was in the same fly with you and Cousins?—Yes.

1118. Do you mean to tell these gentlemen that you took Cousins up to vote?—I tell you that Cousins and me went up in the same fly with Lawrence.

1119. Where were you when you got into the fly?—Against Mr. Lawrence's.

1120. Who was in the fly then?—No one.

1121. Where did Lawrence get in?—The corn merchant?

1122. Yes?—He got in at the same time as we did.

1123. Did Mr. Lawrence vote then?—No, he did not vote then.

1124. What other purpose had he in the fly except to see you and Cousins vote?—I do not know.

1125. Did he do anything else except see you two vote?—No.

1126. He did not vote himself?—I believe he had voted; I think he had.

1127. Was Mr. Lawrence a leading man on that side?—The corn merchant?

1128. Yes?—Yes.

1129. A member of the committee?—It appeared so.

1130. Can you give the Committee the name of a single voter, except Cousins, who went up and voted in the same fly with you?—No man went up in the fly with me.

1131. When was it you first went to this public-house of Mr. Smith's?—About half-past 10 or 11.

1132. When were you polled?—A little after 10.

1133. Very shortly after you polled you went into Smith's?—I called in to get a glass when I came back.

1134. Did you do anything except remain at Smith's the whole afternoon?—Yes, I went back to Mr. Lawrence's.

1135. Did you do anything else?—I went to look after Gaylor.

1136. Is that all that you did?—I looked after a man of the name of Barker.

1137. Where is Gaylor?—In Portugal-place.

1138. Does he live next door to Mr. Lawrence?—Yes; I went several times.

1139. Does not Gaylor live next door to you?—About 100 yards from me.

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1140. How many hours were you in Smith's public-house that afternoon?—I was in and out.

1141. From half-past 10 till 4 o'clock you were smoking your pipe at one time?—I was in and out.

1142. For the better part of the day?—No.

1143. Was it the worst part of the day?—No.

1144. You know Castle-end?—Yes.

1145. Is Castle-end more than a mile from Parker's Piece?—About a mile.

Re-examined by Mr. *Slade.*

1146. Are you a master boot-maker?—Yes.

1147. And have always been a warm partisan on the part of the Conservatives?—Always; I never voted for anything else, not even in municipal elections, or anything of the sort.

1148. How long had you promised to Macaulay and Steuart?—How long before the polling day?

1149. Yes?—About three or four days; I could not say to a day or two; when they came, I promised, "I will give you my vote, and be there and poll like a man, early, and no mistake;" I did not want any money.

1150. You have been asked about your part of the transactions detailed in that blue book?—Yes.

1151. I am afraid a very large number of the Cambridge electors in an equally respectable sphere of life with yourself are to be found there; are you the only man who was found guilty of bribery in 1852?—There were lots of them; there was none the election before this, nor this last election; nobody ever had any money.

1152. There was no money going this election nor yet the last?—Yes, that is what I mean.

[The Witness was directed to withdraw.

Mr. *Frederick Barlow*, sworn; Examined by Mr. *Cooke.*

Mr. *F. Barlow.*

1153. DID you place the name of Richard Stamford on the list of messengers?—Yes.

1154. Was that the nomination day or the day before?—After the nomination day, when I was arranging for the election.

1155. Did you place the names on the list of messengers from the recommendation of other persons?—Some from personal application, and some from the recommendation of other people.

1156. Can you, at this distance of time, tell me whether you put Stamford's name down on his personal application, or from the recommendation of other people?—I cannot tell you that.

1157. Was he paid the same as other messengers?—Just exactly.

1158. What was the ordinary occupation of messengers?—They were various; sometimes they were to attend the flys backwards and forwards to the polling-booths, and some at the booths.

1159. Had you committee-rooms in the town?—Some at various committee-rooms in the town; others at the general committee-room on Parker's Piece.

1160. They were all to be useful to the committees of the party?—Yes; there were so many appointed to each committee.

1161. Did you see Stamford during the day?—No.

1162. Had he a fly station assigned to him?—There is a station close to Lawrence's.

Cross-examined by Mr. *Power.*

1163. Mr. Lawrence is an active partisan and member of the committee?—Not of the committee.

1164. Was it not on his recommendation, on a note from him, that you put this man on?—I cannot swear.

1165. Did you receive any notes from Lawrence?—Yes, no doubt I did.

1166. He

1166. He was a very active man, Teddy Lawrence?—I do not know which is Teddy.

1167. The liquor merchant?—No; the corn merchant is the active man.

1168. They were both active?—No; the liquor merchant I do not recollect seeing at all in the committee-room.

1169. The corn merchant was very active?—Yes.

1170. Did you receive any notes from Teddy Lawrence?—I cannot swear I did; but I have no doubt I did; I received a great many from all sorts of people.

1171. *Committee.*] Do you know whether this man rendered any service?—No; I was in the committee-room all the day, and I could not tell who acted and who did not act.

[The Witness was directed to withdraw.

Mr. *Cooke* was heard to sum up the evidence.

Mr. *Power* replied.

The room was cleared.

The Committee deliberated.

Counsel and agents were called in, and informed that the Committee had resolved that the vote was a bad vote.

Mr. *Power* stated that the next case he would proceed with was that of George Mills, the younger, who was a person who had received 6 *s.* for travelling expenses, and had never laid out a farthing.

Robert Rutter, sworn; Examined by Mr. *James.*

1172. WHAT are you?—A carpenter.

1173. Do you know George Mills, who was a voter at the last election for Cambridge?—Yes.

1174. On the day of polling, were you at work with him at a place called Sawston?—Yes.

1175. How far is Sawston from Cambridge?—I should think about seven miles.

1176. Were you present when he was fetched from Sawston?—Yes.

1177. What kind of a vehicle came for him?—What I should consider a dog-cart.

1178. Who came with it?—A man of the name of Furbank.

1179. Did you see him get into the cart, and go with Furbank to Cambridge?—Yes.

1180. How soon did you see him after the polling?—I cannot say the exact day to swear to it; it might be the Thursday.

1181. Did he say anything to you about having got 6 *s.* for his travelling expenses?—That was on the Saturday night, when we were going home; the amount I cannot swear to exactly; it might be 2 *s.* 6 *d.* or 3 *s.*; about 2 *s.* 6 *d.* I think it was. I have a strong impression that it was 2 *s.* 6 *d.* he said.

1182. What did he say he got it for?—He said Furbank was to convey him to Cambridge to give his vote, and back again, and that he did not intend coming back again that day, and that he gave him 2 *s.* 6 *d.*, instead of bringing him back again.

1183. That he gave him 2 *s.* 6 *d.* to find his way back?—Yes; that he told me.

Cross-examined by Mr. *Cooke.*

1184. What is Mills?—A plasterer.

1185. Was he doing plasterer's work with you at Sawston?—Yes, at Sawston Hall.

1186. Was he foreman, overlooking the people there?—He was sent over by his father.

1187. He had arrived at Sawston Hall that morning from Saffron Walden; about how long was he at Sawston before the dog-cart took him away?—He had

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had talked to me when he first came on the ground for half an hour or 20 minutes, and then he had left me before the dog-cart came.

1188. Was he 20 minutes or half-an-hour before the dog-cart took him away?—Yes.

1189. What time of the day was it when you first saw him?—I got back to my work at nine o'clock, and perhaps it was half an hour afterwards.

1190. And he told you he had come from Saffron Walden?—Yes.

1191. Can you tell me what distance Saffron Walden is from Sawston?—No.

1192. Do you know a place called Whittlesford?—I have been there.

1193. Do you happen to know the distance from Saffron Walden to Whittlesford?—Some mile and a half.

1194. Have you ever been from Whittlesford by rail to Saffron Walden?—No.

1195. There is a rail?—That I cannot tell you.

1196. When was it you afterwards saw him about this conversation as to the half-crown to walk back?—That was on the Saturday afterwards, going on the road from Sawston to Cambridge.

1197. Was that the first time you had seen him after he had gone off in the dog-cart?—I believe he returned on the Thursday, because he went off with us on the Saturday.

1198. You had seen him on the Thursday after he went to vote?—Yes.

1199. Where had you seen him then?—At Sawston, when he came back to work.

1200. Did he go from Sawston towards Saffron Waldon home?—No, he went from Sawston to Cambridge; that is his home.

1201. *Committee.*] Does he live at Cambridge?—Yes.

1202. How does he go to work?—Sometimes his father has conveyed him over in a cart, sometimes he walks over.

1203. He returned to work on Thursday?—I think he was at work on the Thursday after the election on the Monday.

1204. You had not seen him from the Monday, when he went to vote, till the Thursday when he returned again?—No, not until Thursday.

Re-examined by Mr. *James.*

1205. He lives at Cambridge?—Yes.

1206. About what time on that day did you see him at Sawston, when he was fetched away in the dog-cart?—It might be about half-past nine.

1207. He was at work with you?—He came over to work, and then this cart came and fetched him away.

1208. Is he a man who travels about in search of work?—Mills had been there at work weeks at Sawston, and we always go home on Saturday afternoon at three o'clock.

1209. *Committee.*] Do you live at Cambridge?—Yes.

1210. He had come from Saffron Walden that morning to Cambridge?—He told me he had come from Saffron Walden.

1211. Does his father live at Saffron Walden?—No, at Cambridge.

1212. Mr. *James.*] Did you learn what he had been at Saffron Walden for?—No.

1213. He was at work on this spot at half-past nine?—He was not doing any work, because he was there in expectation of this cart coming for him.

1214. Then he did not do much work that day?—Nothing at all; he was expecting the cart to come for him.

[The Witness was directed to withdraw.

Mr. *Edmund Foster*, sworn; Examined by Mr. *Power.*

Mr. E. Foster.

1215. JUST turn to No. 113?—"Stanley Furbank. The committee of Messrs. Macaulay and Steuart, debtor to Stanley Furbank, 1857, March 30th. Hire of dog-cart and driver, 1 *l.* 6 *s.*" "I admit this bill. Frederick Barlow."

Mr. *James.*] And the other payment of 6 *s.* is in already.

Cross-examined

Cross-examined by Mr. *Cooke*.

1216. Is there a railway from Saffron Walden to Whittlesford?—Yes. Mr. *E. Foster.*
1217. And is Sawston about half a mile from Whittlesford?—I think it is.
1218. I think your election was in April?—The 28th of March. 29 June 1857.
1219. And this is delivered on March 30th?—That is the date of the order.

Mr. *James* stated that he would not sum up, as the other side were going to call evidence.

Mr. *Cooke* stated he would not make any opening speech, but call witnesses at once.

Mr. *George Mills*, sworn; Examined by Mr. *Cooke*.

1220. YOU are a voter for Cambridge?—Yes. Mr. *G. Mills.*
1221. And polled at the last election?—Yes.
1222. Do you know a person of the name of Rutter?—Yes, Robert Rutter.
1223. He tells us he was at work at a place called Sawston Hall on the day of the Cambridge election?—Yes.
1224. And that he saw you that morning?—Yes.
1225. Where had you come from that morning to Sawston?—From Saffron Walden.
1226. Had you travelled?—I came by the bus to Audley-end station, and from Audley-end station I took the train to Whittlesford.
1227. And then got to Sawston?—Yes, I walked from Whittlesford to Sawston Hall.
1228. How did you travel from Sawston to Cambridge?—A vehicle came there and met me.
1229. Was it a dog cart?—Whether it was a gig or a dog cart, I don't remember.
1230. Did you return from Cambridge to Sawston?—No.
1231. You came out of Cambridge, when?—The 2d or 3d day of April; I cannot say to a day.
1232. Did you claim from Mr. Barlow the sum of 6 *s.* for travelling expenses?—Yes.
1233. Tell us how you made the 6 *s.* up?—I charged 6 *d.* for my expenses by a bus from Walden to Audley-end station, and 1 *s.* 6 *d.* I paid—I am almost certain I did—for the rail.
1234. To Whittlesford?—Yes, first-class.
1235. What do you charge the 4 *s.* for?—I charged for my expenses back.
1236. To where?—To Walden.
1237. State how you calculate the 4 *s.* for your expenses back?—From Cambridge to Cambridge station, 6 *d.*; it is a long way from Cambridge to the station.
1238. There are busses plying?—Yes.
1239. Why did you go to Mr. Barlow for your expenses?—I did not go to Mr. Barlow's at all.
1240. To the committee-room?—I did not go to the committee-room to take any money.
1241. Did you get your expenses?—I got an order from the committee-room to get my money.
1242. The 6 *s.*?—Yes.
1243. And were you the person who made the calculation of the 6 *s.*?—Yes, as nigh as I could calculate, and if I went through it, I am behind in my calculation.
1244. That is, you made too little a calculation?—Yes.
1245. Tell us how your calculation was made out?—This is back again: 6 *d.* for the bus, and 3 *s.* to Audley-end station; and it was very uncertain about my meeting a bus, and I thought I should charge for a fly.
1246. What is the distance from Audley-end to the station?—Two miles, very near.
1247. And you charge 1 *s.* for that?—Yes; this is the rough calculation.
1248. What prevented your going back?—Business.

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1249. That kept you in Cambridge?—Yes.

1250. When did you go on; the 1st or 2d of April?—I went to Sawston Hall.

1251. Instead of going back to Walden?—Yes.

1252. When had you promised to vote?—I had promised my vote on Saturday night.

1253. Before the election?—Yes.

1254. How did you go to Sawston when you did go there?—No; to Whittlesford.

1255. What did that cost you?—I told you I went by the bus; that cost me 6 *d.*, eight miles; and 2 *s.*, I think, by train.

1256. *Committee.*] Is this before the election?—No, after the election.

1257. How far is it from Audley-end to Whittlesford?—I think seven or eight miles.

1258. And you have stated that you paid 1 *s.* 6 *d.* railway fare?—Yes.

1259. How far is it from Cambridge to Whittlesford?—I should think it is about eight miles.

1260. And you put the railway fare at 2 *s.*—From Cambridge.

1261. To Whittlesford?—I don't understand your question.

1262. Did you put the railway fare from Cambridge to Whittlesford at 2 *s.*?—Yes.

1263. Mr. *Cooke.*] At the time you made out your bill to the committee, did you intend to go back to Walden?—Yes; that business is open now which I ought to have done.

Cross-examined by Mr. *James.*

1264. You are going back?—I do not know whether I am going back now. What do you mean?

1265. You say you charged with the intention of going back, but you have never been back?—I shall go back.

1266. When?—I should have went back before, only knowing the gentleman that I went to see happened to have a misfortune and lost a little money, I thought I would not trouble him for it.

1267. You will not go back till he finds it?—When he gets it.

1268. You are waiting till he gets the money he has lost before you go back; do you say, on your solemn oath, that when he finds his money you will go back to Walden?—I shall go back next week, or this, if I have the chance.

1269. What for?—To meet the gentleman.

1270. Who is he?—That is my business.

1271. Who is he?—Mr. Wright, the builder.

1272. Did he lose his money?—I do not say he has exactly lost it, but I know a party who has broke, and let him in so, I considered he had lost it; and I was near the place; I was at Sawston Hall; he had to turn bankrupt; he was a draper, and I knew he had been doing a job there.

1273. You mean it to be taken down as your evidence that you are going back there?—I do not understand.

1274. And that you are going back to Walden when he has got all right?—Yes; I shall go back to see him on that business I wanted to see him about.

1275. But you have not seen him from that day to this?—No.

1276. You say they canvassed you on Saturday, the day before the polling?—No; I do not know anything about canvassing.

1277. Did you promise your vote on Saturday; do not trifle with the Committee?—Yes; I will not trifle with anybody, if I know it.

1278. You promised your vote on the Saturday?—Yes.

1279. To whom?—I do not know who it was; I went to the committee-room and told them that I intended to vote for them; but I had a little business, a friend to see at Walden, and I rather thought of going back on Saturday night or Sunday evening, I do not know which.

1280. Upon your oath, did you not arrange that night that a cart should meet you, or a conveyance meet you, at Sawston, on Monday morning?—Yes, I did.

1281. Did you tell them you would be at work at Sawston, and that a cart was to come to Sawston for you?—No; I told them I had business to do at Sawston Hall, and where they would find me.

1282. When you say business, was it work?—Yes, I consider I was at work; I had men to see after there.

1283. Did

1283. Did you tell them you would be at work at Sawston, and that a conveyance was to be sent to Sawston for you?—I do not understand you.

1284. Was it not arranged that a conveyance was to be sent for you to Sawston?—I told them that I should come back to Sawston, where they would meet me; but I should have come back all the way by train to give my vote; but I had business at Sawston, so I thought if they met me there I could pay part of the expenses, and charge them for it, as it is legal.

1285. Will you swear you said a word of that to the Committee?—No, I will not.

1286. Upon your solemn oath, was it not arranged that you were to be at work at Sawston on the Monday, and that the conveyance was to be sent for you to Sawston?—I am sure I forget.

1287. I shall ask the Committee to make you answer that question?—I am sure I forget.

1288. Upon your solemn oath, was it not arranged that you were to be at work at Sawston on the Monday, and that a conveyance was to be sent there for you?—It was arranged that I should be there.

1289. Who did you arrange that with?—I do not know.

1290. Some person at the committee?—I do not know.

1291. What time did you go to Sawston on the Monday morning?—I should think, as nigh as I recollect, it might be a little after ten, or a little before.

1292. Were you at work with a man of the name of Rutter there?—Yes.

1293. What work was it you had to do there?—A job.

1294. What was it?—I am superintending business for my father.

1295. You had been at work there some time before?—Yes.

1296. The previous week?—Yes.

1297. Some weeks?—No.

1298. How long?—I might be there a fortnight or three weeks.

1299. Had you been at work there every day the previous fortnight?—Yes.

1300. And on Saturday afternoon, about three o'clock, you go home to Cambridge?—Yes.

1301. Did you not go from Sawston to Cambridge and arrange with the committee that they should send to you at your work with a conveyance?—Yes.

1302. Having gone back to your place at Cambridge, you then went to the committee-room, and arranged that they should send a conveyance to you at the place where you were at work on Monday?—Yes.

1303. Furbank came there for you?—Yes.

1304. Instead of taking you back, did he not give you 2*s.* 6*d.*?—I will swear he did not.

1305. When did you go back?—The 2d or 3d of April; I stayed in Cambridge.

1306. Then you did not want to go back?—Yes I did, being connected with my father's business.

1307. You had other business that kept you in Cambridge?—But that I did not know anything of.

1308. Before you sent to the committee for the 6*s.* did you see a man of the name of Mowden?—The oil and colourman?

1309. Yes.—Yes, I did.

1310. Did he tell you people were getting money for their expenses?—I do not recollect it.

1311. Will you swear John Mowden did not tell you that people were getting money for their expenses, and did not you then say I will send to the committee?—No, I do not recollect.

1312. Will you swear that never occurred?—I swear I was not told it by him.

1313. Did you speak to him about your expenses?—He said to a friend, "Where have you come from?" I said, "I have come from Saffron Walden." He said, "Have you got your expenses?" I said, "No, I shall not bother about it." He said, "It is legal;" not he, but another one, a man of the name of Robinson, who lives in the same street. He says, "George, you may as well have it as not; it is legal."

1314. Who told you that; Mowden or Robinson?—Three or four.

1315. Was it after you saw them, and they said it was legal, that you sent in the bill for 6*s.*?—Yes.

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1316. Have you not given evidence to-day before this Committee, that you claim your expenses back to Walden because you intended to go there?—Yes.

1317. On your solemn oath, do you say that?—Yes.

1318. You claim them as your expenses because you expect to go back?—Yes.

1319. Do you mean to swear you claim your expenses because you expect to go back?—I counted to go back; and I went part of the way, but not to Walden.

1320. When?—On the 2d or 3d of April.

1321. Where?—To Whittlesford.

1322. Is not Whittlesford on the way to Sawston?—Yes.

1323. Did you mean the Committee to believe that you intended to go back to Walden; that you were going to work at Whittlesford; that it was your intention to go back to Walden?—No.

1324. Do you mean this Committee to believe that going to the Whittlesford station, which is the station next to your work at Sawston, that you were on your journey to Whittlesford with the intention of going to Walden?—No.

1325. Was it not to go to the Whittlesford station to resume your work at Sawston?—Yes.

1326. Did you not claim 6*s.* for your railway fare and horse hire from Saffron Walden?—I do not know anything about horse hire.

1327. Did you not claim 6*s.* for your railway and horse hire from Saffron Walden to Sawston?—No; I have not been swearing that.

1328. Did you not claim 6*s.* from the committee for your railway fare and horse hire from Saffron Walden?—No, I did not charge it; I only charged 2*s.*, which I paid.

1329. Did you not claim it; did he not take down, from your lips, 6*s.* railway fare and horse hire from Saffron Walden?—No, I cannot say that; I charged 2*s.* to come home, and my fare would be 4*s.* or 4*s.* 6*d.*

1330. You have been giving to the Committee to-day the amount of your expenses under the presumed intention of going back to Saffron Walden; did you not claim 6*s.* for your railway fare and horse hire from Saffron Walden?—I did not charge it from Saffron Walden.

1331. That you swear?—I claimed it for coming and going back.

1332. How much for coming?—I believe I have told you.

1333. You did not claim the whole as coming from Saffron Walden?—Yes.

1334. Did you tell Mr. Barlow so?—No, I did not tell Mr. Barlow so.

1335. That you swear?—Yes.

1336. You never have been back?—No.

1337. What did you expend in going from Saffron Walden to Sawston?—It might be 2*s.* 1*d.*; I am very often up and down the line.

1338. When did you go to Saffron Walden?—I went on the Saturday.

1339. For pleasure?—I went for pleasure and likewise business.

1340. Intending to be at your work at Sawston?—Yes.

1341. Did you claim for horse hire 6*s.*?—What do you mean?

1342. Did you claim for horse hire?—No; I did not claim nothing but what I have told you before.

1343. Did you make part of your claim for horse hire?—Sixpence for a bus.

1344. Did you claim horse hire?—I do not understand it; I know nothing about it.

1345. Did you claim for horse hire; was it part of your claim?—I charged 6*d.* for a bus; it is no use talking of things that I know nothing of; I don't understand the thing.

1346. Did you claim for horse hire?—I charged 6*d.* for the bus.

1347. Did you claim for horse hire by the name of horse hire?—I don't understand it, so I cannot answer you.

1348. That you mean the Committee to understand; that you do not understand what horse hire means?—I do not, on my solemn oath.

1349. You know what horse hire is?—I know what horse hire is, but I had nothing to do with horse hire.

1350. Mr. *James.*] Did you claim it as horse hire?—I don't understand it.

1351. Did you claim it as horse hire; I believe that is a legitimate question?—I claimed for horse hire and likewise for bus hire; bus hire and railway hire.

1352. After you had seen Mr. Mowden and Robinson, how soon after did you send in your claim for 6*s.*?—About half an hour, or it might be an hour or two.

1353. Was

1353. Was it on the day of polling that you met Mowden and Robinson?—Yes.

1354. Before you voted?—After I voted, on the day of polling.

Re-examined by Mr. *Slade*.

1355. As I understand, until you had been told by these two, Mowden and Robinson, that it was legal to have your expenses, you had no idea of sending in any claim?—No.

1356. And you had voted according to your promise?—I had voted according as I said I should vote; I had not seen anything of the parties who canvassed me; I should have liked to have seen them.

1357. Had you been canvassed yourself personally?—No.

1358. Had you left any direction with your wife as to who you were going to vote for?—No. I did not make up my mind until the Saturday night; I should not have come home on Saturday night only for that business.

1359. What business?—To promise my vote.

1360. You came in from Saffron Walden to promise your vote?—No.

1361. Did you come into Cambridge on Saturday to promise your vote?—Yes, and other business as well.

1362. What time were you down at the committee-room?—I am sure I could not tell you; I could not say to an hour or two. I went down in the evening, and I had a little business in the market, and I said, "Now I am down so far, I will promise my vote."

1363. And then you promised them at the committee-room?—Yes.

1364. Was that the time that you told them that you should be at work at Sawston or Saffron Walden on the Monday morning?—I told them I should be at Sawston.

1365. And that they might send a gig?—They said they would send something; I don't know what it was.

1366. When Mowden or Robinson told you it was lawful to pay your travelling expenses, and said, "George, you may as well have it as not," did you put down what you had actually expended, and what it would cost you to go back to Saffron Walden?—I did not put it down.

1367. Did you calculate it in your head?—I went into the committee-room, and said so and so, and he says, "What was it?" I said, "About 6*s*." I might have charged more, but I don't think I have.

1368. At that time had you the intention of returning to Saffron Walden?—I had, and have now; I have the same business to do.

1369. What prevented your going?—I tell you, and it prevents a great many. I am connected with my father's business, and I said, "Well, father, I shall go back to see after that job." He says, "It is of no consequence, you must go another time;" and so I have not been yet. Knowing the man had lost a little money, we did not trouble him. That is the long and the short of it.

1370. At the time when you made out this account in the committee-room, and said 6*s*. would be about the sum, were you then intending to return to Saffron Walden?—Not that day; I did not intend to return that day nor the next.

1371. When you made out the account for the committee?—I did not make an account.

1372. When you made a statement to them, and it was taken down?—I believe it was.

1373. When you did that, was it your intention to return to Saffron Walden, as you stated?—Yes it was, and is now, on that same business that I have taken the money for.

Examined by the *Committee*.

1374. You say you went back to Sawston on the 2d of April?—Yes; I went to follow my work.

1375. What would it cost you to go back to Sawston on the 2d of April?—Two shillings; I cannot say that I did not take that.

1376. You went by railway to Whittlesford?—Yes.

1377. Do you know what the fare is?—I do not know; I think it is about eight miles.

[The Witness was directed to withdraw.

Mr. *F. Barlow.*

29 June 1857.

Mr. *Frederick Barlow* sworn; Examined by Mr. *Cooke.*

1378. WERE you in the committee-room when the parties came to claim their travelling expenses at the late election?—I was.

1379. Have you a memorandum of what you took down as the items of the claim of the last witness, Mills?—I have.

1380. Just read it?—"G. E. Mills, jun.; from Saffron Walden, railway to Sawston, 1*s.*; ditto, back to Walden, bus and fly, 5*s.*; 6*s.*"

1381. There is another paper I have just had given to me by Mr. James; the paper you now hold in your hand; is that in your handwriting?—Yes.

1382. Read that out?—"Railway fare and horse hire from Saffron Walden, 6*s.*"

1383. Can you explain the discrepancy?—I can only explain it in this way, that it must be a mistake of my own; the other is what I took down from the various parties.

1384. Was that a copy of what you sent to the election auditor?—This is one I afterwards wrote and sent.

1385. Sent to Mr. Foster, the election auditor?—Yes.

1386. That about the horse hire is your own mistake?—It must be.

1387. At the time when the man was giving you the statement of his expenses, do you remember anything of the intimation which you gave to him; did you speak to him?—Yes; when he came to ask me for the expenses I said, "What are you to have?" He said, "From Saffron Walden." He said, "He came by bus to the Audley-end station, then to Whittlesford by rail, and then walked to Sawston where he had some men at work, and a dog cart met me there." I said, "What did you pay?" Then he told me these particulars, which I put down at the time. I said, "For goodness sake, don't tell me more than you really have paid." I explained to him if he did so it might ruin the election. He said, "He would be very sorry to do that;" and I then took from him the particulars.

1388. Have you got some item about the back journey?—This is not my paper. I calculated the order myself, when he told me what he had paid here; I calculated at the close what back again would be; I put down bus and fly, because he told me he might not hit on a bus, and therefore he said he should charge for a fly from Audley-end. That is what I took down, certainly, at the time.

Cross-examined by Mr. *James.*

1389. Let me look at the memorandum for a moment?—That is what I took down at the time.

1390. What did he say?—I understood a shilling from the train.

1391. And five shillings to go back?—No; when I was calling at five shillings, what the return was back again, he said you have not put down the bus from Saffron Walden.

1392. He told you he was going back?—Yes.

1393. And on that assumption you paid him?—Yes.

[The Witness was directed to withdraw.

Mr. *Slade* addressed the Committee in support of the vote.

Mr. *James* replied.

[Adjourned till To-morrow, at Eleven.

Martis, 30° *die Junii*, 1857.

RICHARD DEASY, Esq. IN THE CHAIR.

At the meeting of the Committee the room was cleared.

After a short time, counsel and parties were called in, and informed that the Committee had struck off the poll the vote of George Mills the younger.

Mr. *James* stated that the next vote he would proceed with would be that of Japhet Edwards, which would come within the same rule, upon a contract which the voter thought was made, and which induced him to give his vote; and also a subsequent colourable charge for services which he knew had not been rendered.

Mr. *James Martin*, sworn; Examined by Mr. *Power*.

Mr. *J. Martin*.

30 June 1857.

1394. I BELIEVE you are Chairman of the Board of Guardians of Cambridge?—I am.

1395. I believe you are a voter also?—I am.

1396. Do you remember seeing a man of the name of Japhet Edwards at any time?—Yes.

1397. When did you see him after the election?—I cannot say the precise time.

1398. About how long afterwards?—When I saw him, it was after it was announced in the papers that a petition had been presented.

1399. What are you by occupation?—A tobacconist.

1400. Where was it you saw Japhet Edwards there?—In my shop.

1401. Did he come into your shop to purchase anything?—Yes.

1402. As a customer?—Yes, casually. I knew nothing of him beyond merely having seen him before, and knowing that his name was Edwards; that was all.

1403. You say that at that time it had been announced in Cambridge that a petition would be presented against the return of the Sitting Member?—Immediately after that; I do not know that it was not the same night.

1404. When he came into your shop to buy some tobacco or snuff?—I do not know.

1405. Did any conversation take place between you and him with regard to the last election?—Yes; he made some remark about the petition, saying, "What does this petition mean?—I said, "I am sure I do not know." He replied, "I cannot make it out; there is some treachery somewhere." I paid very little attention to it indeed, because it was a mere casual remark. I scarcely knew the man, and I paid comparatively no attention to him; and until it was brought to my recollection; in fact, I had lost sight of it altogether until it was repeated to me; when I say repeated, I mean the circumstances recalled to my mind.

1406. Upon the circumstances being recalled to your mind, did you have a perfect memory of what took place between you and Japhet Edwards in the shop on that day?—Yes, I think so.

1407. State to the Committee what it was he said on that occasion?—As nearly as I can; he stated some complaint that he had to make.

1408. Mr. *Slade*.] Have the kindness to use his words, and do not state the result at this distance of time?—I am not giving my opinion. As I stated before, I cannot correctly repeat his words; I can give the purport. I paid so little attention to what the man said, that when I repeated the conversation to the person who has brought me, I presume the remarks were cursorily made.

1409. *Committee*.] Never mind that; tell us what the voter said?—

1410. Mr. *Power*.] Just state to the Committee the substance of what Edwards said?—

Mr. *Slade* objected to the question.

The *Chairman* stated that the Committee were of opinion that they were entitled to get the substance of what the voter had said.

Mr. *J. Martin.*

30 June 1857.

1411. Mr. *Power.*] State the substance of what Japhet Edwards stated to you on that occasion?—As near as I can recollect, it was that he had been badly paid; that he had made application for his sons to be employed as messengers.

1412. Did he say to whom?—Mr. Swan; and that Mr. Swan said, "Well, I do not know; you have always been with us, and I will see what I can do for you;" and that afterwards he had paid him about 7*s.* 6*d.* for his services, and he thought it was too bad.

1413. Did he say how many sons he had that were to be employed as messengers?—I think three that he had made application for. I did not treat it as a serious affair, and I afterwards repeated it as a joke about the man's anxiety, laughing at it. I did not know that it related to the matter of the petition.

Cross-examined by Mr. *Slade.*

1414. You said you were standing by; you were not serving him; was this, of which you recollect the substance, said to yourself?—Yes.

1415. As I understand you, you paid very little attention, or comparatively no attention?—I paid sufficient attention to know what the man was talking about.

1416. It passed out of your mind until the circumstances were recalled to you?—Yes.

1417. How long after the conversation was it that the circumstances were recalled to your mind?—On the Tuesday prior to the meeting of this Committee.

1418. How many months had elapsed between the time of the conversation and the circumstances being recalled to your mind?—That I cannot tell you.

1419. Has that escaped your recollection?—I never paid the slightest attention to the matter. It was after it appeared in the paper suddenly that there was a petition against the return of Cambridge; after it appeared in "The Times;" it appeared the night before, and it took many by surprise; I do not know how long that was.

1420. Was anybody by?—No.

1421. You were not serving yourself; who was?—I am sure I do not know; I cannot tell you. I did not pay any attention to that. I did not serve; I was standing there smoking some cigars.

1422. You were doing the genteel?—Just so, as near as I could.

1423. A tobacconist generally stands in his shop smoking his cigar, and does not serve?—Not generally.

1424. That is your rule; smoke a cigar, and not serve. Who was serving?—It is impossible to tell.

1425. Who was?—My wife sometimes serves, or the boy. I do not even know what the man had; I cannot tell you what he was served with.

1426. You come to tell an extraordinary conversation, of which you have no recollection until it was recalled to your mind some months ago:—I come to tell it; I am brought here to tell it quite unwillingly.

1427. I assume that: unwillingly or not, you voted for Mr. Adair and Mr. Hibbert?—I did.

1428. You say you were not serving him yourself: was the party who was serving him by at the time he made this statement to you?—I dare say he was so, but I am sure I cannot tell you. It is impossible for me to say; I do not recollect. I had not treasured the matter in my mind until I was asked if I knew a certain party, and did not so-and-so take place; and then I remembered it all.

1429. What took place was stated to you?—I had repeated it to the party, and they made a note of it; I repeated it as a joke.

1430. Tell me the party who made a note of it?—I think it was Mr. Cotterill, the solicitor in this case.

1431. You told him?—Yes; I have been in the constant habit of speaking to him; he is a guardian also; he was also a member of the corporation.

1432. You told him this?—Yes.

1433. When?—I believe the same night it occurred; laughing, telling it as a joke; not dreaming it to be of any importance in this matter at all.

1434. Did he not tell you that he thought himself harshly treated, because his son had been paid only for one day instead of three?—No, he did not.

1435. Can you tell us the words he did use?—He complained that he had only been paid 7*s.* 6*d.*; he thought it very hard; he had applied for three sons, and

and only received 7 *s.* 6 *d.*; it appeared very moderate pay, 2 *s.* 6 *d.* each, or something of that kind. Mr. *J. Martin.*

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Re-examined by Mr. *Power.*

1436. Mr. Cotterill is a guardian?—Yes, the vice-chairman.

1437. You say, very naturally, you repeated this matter, not dreaming it would be made the subject of a solemn investigation before a Committee?—Decidedly.

1438. Have you given your evidence to the best of your recollection, and have you stated the substance of what passed?—Yes.

1439. Are you accurate in that?—Yes.

1440. Are you accurate now in having given the Committee that which you can remember as the substance of what passed?—Most assuredly.

[The Witness was directed to withdraw.

Mr. *Edward Sanderson*, called; Examined by Mr. *James.*

1441. DO you know Japhet Edwards, the voter?—Yes. Mr. *E. Sanderson.*

1442. What is he?—A painter and plumber.

1443. Has he three sons?—Yes.

1444. How old are they?—The eldest is, I think, 24, the next about 22, and the youngest about 16 or 17.

1445. What are they; do they work with him in his business?—One is married, and lives away from him; the second son was a soldier, discharged from the Rifles, and has been at home for some time.

1446. At the time of the election?—Yes, and staying with his father.

1447. One was married, and lived away; where did he live?—About 100 yards from his father.

1448. Where was he empoyed?—He is a painter.

1449. A jobbing painter?—A journeyman painter.

1450. Is the father a journeyman, or does he keep a shop?—He does work on his own account.

1451. And works out?—No, I don't think he does; I don't think he would, except for himself.

1452. The son is a journeyman, and lives about 100 yards from his father; and the second son had been discharged from the Rifles?—Yes.

1453. And what is the third boy?—He lives with his father, and assists him in his business.

1454. Does the second, who is discharged from the Rifles, live with his father also?—He did at the time of the election.

1455. Had you any conversation with Japhet the father about his sons being "put on?"—I had a conversation with him.

1456. Tell the Committee exactly what passed?—I had a conversation with him about the election, and he told me that the election was a bad thing for him; that he had spent 12 *s.* out of his own pocket, and felt ill next day.

1457. What did he mean; that he had ate and drank too much?—Yes.

1458. Did he say so?—Yes.

1459. How did he say he had spent this 12 *s.*; what did he say?—He said he had spent 12 *s.* on the day of the election out of his own pocket, for his use, and in treating his son; I think his son was drinking with him.

1460. Did he tell you in what respect he had spent the 12 *s.* and was out of pocket?—In drinking; he did not say sons; I believe he was alluding to the eldest one.

1461. Mr. *Slade.*] Tell us what he said?—He said he had spent it in drink; and he said his eldest son was with him part of the time.

1462. Mr. *James.*] You said he said he was ill the next day from it?—Yes.

1463. Did he say anything about his son as a messenger?—Yes.

1464. What did he say?—He said all three had been put down.

1465. Did he tell you so?—Yes; and that only one got paid.

1466. Did he tell you how he came to have their names put down?—No; I don't think he did.

1467. Now, you know the sons?—Quite well.

1468. Did you see them about the committee-room, any or either of them, on

Mr. *E. Sanderson.*

30 June 1857.

the day of the election or the polling day, in King-street?—I don't recollect perfectly that I saw any of them; I might have seen them in the street; I believe I did see the eldest one in the street, perhaps within 10 or 20 yards of the committee-room.

Cross-examined by Mr. *Slade.*

1469. Give me the names of the three sons?—George.

1470. Is that the eldest?—Yes; William is the second.

1471. The third?—Japhet.

1472. The same name as the father?—I believe so.

1473. Has the son got the same name as the father?—To the best of my belief he has.

1474. Are you the man that came here the other day?—Yes; Saturday.

1475. The man who was put on the others as a plant?—Yes.

1476. They put you on Edwards, too, as a plant?—Yes.

1477. You were put on Edwards to try and see what you could get out of him?—Yes.

1478. How many more have you been put on as a plant?—How many men?

1479. You heard that question, answer it?—Two or three more.

1480. Which?—Do you want the names?

1481. Is it two or three?—I could give the names, and I should be near and make no mistake.

1482. Let us have the names?—A person of the name of Cann.

1483. You have been put on Cann?—Yes.

1484. Who else?—I was to find which of the Burbages was paid.

1485. Were you put on Burbage?—Not the voter; but to find out which of the sons was paid; who it meant.

1486. Anybody else?—I was asked the ages of the young Fordhams; there were two sons; shall I tell you any more names?

1487. Yes, if you can?—I was to find out something about that Mills's case, which was tried.

1488. That makes five?—I was not particular; as many as they told me I went about.

1489. I dare say there was a good many, if you can rub up your memory?—I would not tell an untruth if I knew it.

1490. I never found a witness that admitted he did. How many men have you been put on to pump?—I don't think there are any more.

1491. Are we to see you again in that chair?—I don't know; possibly you may.

1492. Was anybody by when this conversation took place?—Which are you alluding to?

1493. With the voter Edwards?—No, I think not.

1494. Where did it take place?—As we were going to Grandchester.

1495. Whereabouts on the road?—Through the fields. It is a nice walk through the fields. We were going a-fishing, the voter and me.

1496. You were going a-fishing, that 's quite clear?—That is quite certain; we had poles in our hands.

1497. How did the conversation begin?—It was my business to introduce the election.

1498. What day was this; you have not given us the day?—The 19th of May, I believe, for I have got a book in my pocket that will tell me.

1499. That was Sunday?—No; it was the 19th or 20th of May.

1500. Is this an election book?—No, it is a Shepherd's Almanack. The voter and me both belong to the Ancient Shepherds' Society, and the voter and me were both going to an anniversary. I have got it down here; it is the 19th or 20th of May. The man would deny that we dined together and fished together.

1501. Not fished together?—Yes; we hove our poles and lines in the water at the same time. We had a day of it.

1502. Did you take a note of this conversation, the same as you did of the other?—No; I went and told Mr. Eden of it the next day.

1503. You took no note of it?—No; I told Mr. Eden I believed the man had spent the 12 *s.* out of his own pocket.

1504. Did you tell Mr. Eden the rest of what he said?—I told him the whole of our conversation.

Re-examined

Mr. *E. Sanderson.*

30 June 1857.

Re-examined by Mr. *James.*

1505. The gentleman who sits by me, Mr. Eden, put you in action to detect these different cases?—Yes, after.

1506. In Burbage's case, were your instructions to find out whether Burbage, the voter, had received money, or the son?—Which of the two?

1507. In Cann's case, what were you put to detect?—He is named after his father, and I was to detect which it was, whether father or son.

1508. And you were employed, in this case, for the purpose of ascertaining the facts you have stated?—Yes.

1509. This occurred in conversation, when you were going a-fishing?—Yes; that is the Almanack of the Ancient Shepherds, or the Wisbeach Unity.

1510. That was fixed as the day of the anniversary of the Grandchester Lodge?—Yes.

1511. And that is the day that you were going a-fishing?—Yes. We did not dine with them, because they would not let us pay.

1512. You dined with the voter?—Yes, and stopped there until the next morning.

[The Witness was directed to withdraw.

George Rayment, sworn; Examined by Mr. *Power.*

G. Rayment.

1513. ARE you a leather-cutter?—Yes.

1514. Living in Cambridge?—Yes.

1515. Do you know the voter Japhet Edwards?—Yes.

1516. I believe he lives near you?—That is not my residence in King-street; I manage the business of Mr. Joseph Rooke.

1517. Do you manage the business of a shop in King-street?—Yes.

1518. Does he live near this shop?—Yes.

1519. How far off this shop you manage?—No great distance.

1520. A few yards?—A few hundred yards; I cannot say exactly.

1521. Do you remember seeing Edwards after the election?—Yes.

1522. How long after?—About a fortnight or three weeks.

1523. How came you to "happen" on him?—He came to my shop to purchase some leather.

1524. When he came into your shop did he say anything to you about the election that had taken place?—Not till after he bought the leather.

1525. How long did he remain in your shop altogether?—Ten minutes.

1526. After he bought the leather did he then talk about the election?—Yes.

1527. What was it he said?—He said he heard that some people had money at the election, but he had none himself; he wished he had; but they had not given him what he ought to have had.

1528. Go on?—I asked him what he meant by that; and he told me he had got three sons, and they had only paid for one instead of three. He did not mention any names.

1529. Did he say how it was they refused to pay?—No; he said he would be damned if he would vote for them any more, unless they paid the other two; that was all the conversation that passed.

Cross-examined by Mr. *Slade.*

1530. He had always been a Tory voter, had he not?—Mr. Edwards?

1531. Yes.—I do not know that he had ever voted before.

1532. Had he been on the register?—I do not know.

1533. Had he lived in that street many years?—18 or 19 years I have known him.

1534. In the same house?—I think not.

1535. Have you voted before?—I never did vote.

1536. What side are you in politics?—I never had a vote.

1537. Have you got no opinions; are you a Liberal or a Tory?—I think every one has opinions.

1538. Are you a Liberal or a Tory?—I am, in principle.

1539. What?—A Liberal.

G. Rayment.

30 June 1857.

Re-examined by Mr. *Power.*

1540. I suppose it would puzzle you to say what Japhet Edwards' politics are?—He voted for the Tories.

1541. But he said he would be damned if he voted any more if he was not paid?—Those were the words he used to me.

[The Witness was directed to withdraw.

Japhet Edwards, sworn; Examined by Mr. *James.*

J. Edwards.

1542. WHAT are you?—A plumber and glazier.

1543. Have you got three sons?—I have.

1544. What are their names, beginning with the eldest downwards?—George, William, and Japhet.

1545. The younger is named after yourself?—Yes.

1546. What is George?—The same trade as myself.

1547. He does not live with you?—No.

1548. He lives apart from you?—Yes.

1549. Does he work as a journeyman on his own account?—

1550. William has been discharged from the Rifles?—Yes.

1551. Was he with you at the time of the election?—Yes.

1552. And the younger, what is he?—The same trade as myself.

1553. In your business?—Yes.

1554. You voted for Macaulay and Steuart?—Yes.

1555. Do you know Mr. Swan very well?—Quite well.

1556. Did you see him before the polling?—I did.

1557. What day did you see him before the polling?—It might be two or three days,

1558. Where did you see him?—In his own yard; in a yard.

1559. Did you say anything to Swan about having your sons put on as messengers?—I spoke to him about having one put on.

1560. Which one?—Japhet.

1561. Not the three?—No; the three was not with me; the one that was with me asked me.

1562. Did you ask Swan for three?—No.

1563. For one?—No, I did not.

1564. Tell the Committee what you said?—I asked Mr. Swan if he could get my son a place; he said, "For the life of me, Mr. Edwards, I can do no such thing."

1565. What did you say to that?—I left him.

1566. Did he say he could not get you one son on?—No.

1567. Then you had no son on at all?—There was one, I believe, got on.

1568. Which?—Japhet.

1569. Who put him on?—He got himself on.

1570. Did you spend 12*s.* one day?—The day of the election?

1571. Yes?—I believe I spent from 8*s.* to 12*s.*

1572. Did you treat your sons to a supper?—I might treat them in the course of the day to a glass of ale.

1573. How did you spend the 12*s.*?—In beer; treating strangers and different people I met.

1574. And your other sons?—They had a small part of it.

1575. Where did you have it?—Some in Regent-street, some in Hobson-street, and some in King-street.

1576. Was that on account of the messenger's money?—No, I never thought of that.

1577. That you swear?—Yes, that I swear.

1578. Did you send in a claim to the Committee; just look at this; is that your handwriting (*handing the paper*)?—It is.

1579. "J. Edwards, messenger to Macaulay and Steuart's committee, three days"?—Yes, I believe that is what I put down.

1580. That is for Japhet's employment?—Yes.

1581. For

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1581. For three days?—Yes.

1582. How much did you claim for that?—I did not know what was given; I did not expect anything myself at all; I was writing at a table on my own account, and he told me they were in a hurry to be paid; to pay all the messengers.

1583. Who told you?—My son; my son said they were paying the messengers first.

1584. You acted for your son in claiming this?—I merely wrote that paper for him as I was writing at the table.

1585. Was your son there?—He was in the house, standing against the table.

1586. Where?—In my house.

1587. Where did you write this?—In my house.

1588. To whom did you give it?—To my son; he took it.

1589. Then your son was employed three days, you can swear?—I don't know.

1590. Be careful, look at this; you have charged for three days?—I don't know; he asked me to put it down.

1591. Nothing passed with Mr. Swann about messengers at all?—No, no further than I have told you about getting the places.

1592. He said he could not do it?—Yes.

1593. Do you know Martin?—Yes.

1594. Did you tell Martin that you had made application for your three sons to be employed as messengers, and that Mr. Swann had said, "You have always been with us, and I will see about it," and then did you complain that you only got paid for one?—I never said nothing of the kind; never, to my knowledge.

1595. Nothing of the kind?—I might have said I had a son a messenger, or something to that effect.

1596. I put it to you distinctly, did you state to Mr. Martin that you had made application for your three sons to be employed as messengers, and that Mr. Swann said, "You have always been with us, and we will see about it;" and that you complained to him that you only got paid for one?—I never said that.

1597. Or anything to that effect?—I don't think I did.

1598. Will you swear you did not?—I made mention of something in the shop, but not that.

1599. Tell the Committee what you said; now, be careful?—I believe I said to Mr. Martin that I thought it was not right that my son—sons, I believe I said—should be put on as messengers, and not paid.

1600. What did you mean by that?—I meant, George, William, and Japhet.

1601. Had they been put on?—I believe not.

1602. What did you mean by saying to Mr. Martin, you thought it was not right your sons should be put on as messengers, and not be paid?—I don't know; they told me they expected to be paid.

1603. Who told you?—My sons told me so; the fact is, I hardly know what I said to Mr. Martin; I don't recollect. I cannot call it to my memory. I would if I could.

1604. I must put the question to you again before this Committee. Did you say that you had made application for your sons to be employed as messengers, to Mr. Swann. Now, be careful?—I will swear I never said no such a thing as that; that I never made application to Mr. Swann.

1605. Did you say you applied to have your sons appointed as messengers?—Not to Mr. Swann.

1606. Did you say you had applied to have your sons employed as messengers by anybody?—I cannot answer that question.

1607. Will you swear you did not say so to him in his shop; Mr. Martin of the Board of Guardians?—I really cannot say.

1608. Did you say you had only got paid for one?—I don't believe I said anything of the sort.

1609. Will you swear you did not?—I will swear I did not say that.

1610. Or anything to that effect?—I might say, my son only got 7*s.* 6*d.*

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1611. On your solemn oath, do you not remember that you said you only got paid for one?—I will swear I did not.

1612. Did you say anything about only being paid for one?—I might.

1613. What was it?—I might have said that one of my sons only got 7*s.* 6*d.*

1614. Do you know Mr. Raiment, the leather cutter?—I do know him, that is as much as I can say.

1615. Did you go to buy some leather a fortnight, after the election, at his shop?—I think not; I have not bought any leather in his shop for months.

1616. Were you not in his shop a fortnight after the election, or rather in Mr. Rooke's shop?—Yes; I believe I was.

1617. Did you go there to buy some leather?—No.

1618. What for?—To buy some sand paper.

1619. Did you say you had heard that at the election some people had had money, and you wished you had?—No, I never said anything of the kind.

1620. Nothing to that effect?—No.

1621. Did you say that you had only got paid for one of your sons as messengers?—No.

1622. Nothing to that effect?—No further than what I said before, that I might say that one of my sons only got 7*s.* 6*d.*

1623. Did you say that to Mr. Raiment?—I will not swear I did not.

1624. Did you complain to Raiment that only one of your sons got paid; answer that question?—I will not swear I did not.

1625. Did you say you would be damned if you would vote for any man if your three sons did not get paid?—No.

1626. What did you say to him; how did this conversation begin?—I don't recollect saying anything, except that we were talking about people having been remunerated, or having some refreshment at the election, and I said people ought to have refreshment, and he was against it. He is a man I have very little conversation with.

1627. You say one of your sons only got paid; how did the question of your sons being paid arise?—By his introducing something.

1628. What was it?—I cannot recollect.

1629. Did you complain that only one of your sons got paid?—No, I never complained; I said there was only one.

1630. Just now you said there were three of your sons messengers; who put them on?—I don't know; I heard them say afterwards they were not messengers.

1631. Which were those?—George and William.

1632. Who paid you when you sent that bill in; you only got paid for one?—I did not get the money at all.

1633. Who did?—My son.

1634. Which?—Japhet.

1635. Had you spent 12*s.* on account of what they were going to receive?—No.

1636. You said you had spent from 8*s.* to 10*s.*?—I don't know what silver I had.

1637. At the supper?—At different places.

1638. With your sons?—No, not all of it; there might be a shilling, or something of that kind expended with them.

1639. Is that your writing; "Received the above. J. Edwards," underneath?—No.

1640. Whose is that?—I don't know.

1641. Don't you know whose handwriting "J. Edwards" is?—No; it looks good deal like my son's.

1642. You made out the bill?—Yes.

1643. You say your son was in a hurry?—I said he was in a hurry.

1644. You made out the bill; after you made it out, did you give it your son?—Yes, like that.

1645. And then he took it to the committee?—Of course.

1646. How came you to charge three days?—That is what he asked me to charge. I said what time am I to put down. He said three days.

1647. Was it not for your three sons?—No; three days.

1648. Was not that put down three days, meaning your three sons?—No; I swear he told me to put down three days for himself.

1649. He

1649. He was living in your house with you?—Yes.

1650. Do you mean to swear that he was employed three days?—He was out; I don't know whether he was employed or not.

1651. Do you mean to swear upon your oath, that that boy, living in your house, was employed three days?—I put it down, believing that he was employed.

1652. Do you mean to tell the Committee on your oath, that that boy, living in your house, was employed for three days?—It was done in a hurry; I might make a mistake at the table.

1653. It is a mistake?—I don't know; I have never seen it since.

1654. Now look at it; do you tell the Committee it is a mistake?—I will not say.

1655. Is it?—I don't know; I cannot recollect; it might be a mistake; I was writing at the table, I recollect that.

1656. Mistake or not, do you mean to swear your son was employed for three days; you are on your oath, in the chair before the Committee?—I will not swear that he was.

1657. On your solemn oath, don't you know that he was not?—I will not swear that.

1658. Will not swear what?—That he was not.

1659. Will you swear that he was employed at all?—Yes.

1660. Will you swear he did anything?—He got himself on, and what he did he will tell you himself.

1661. Do you know that he did anything?—I believe he did.

1662. What?—As a messenger?

1663. Tell me one thing which you will swear he did?—Like other messengers.

1664. State any one thing?—I was not with him, therefore I cannot tell; and I will not swear it.

1665. Did your son give you the money wether he had got it?—No.

1666. You swear that?—Yes.

1667. No part of it?—No.

1668. None?—None.

1669. Did you see the money when he brought it back?—I might see it in his hand; I cannot say.

1670. Did you see the money when he brought it back?—Yes.

1671. Did he show it to you?—Yes.

1672. What did he say?—I have got 7 *s.* 6 *d.*

1673. What did you say?—I said very well, or something to that effect.

1674. What did he do then?—He put the money in his pocket.

1675. When you made out three days, you expected three seven and sixpences?—I suppose so.

1676. Now, I put this question to you, and tell you to be careful; will you swear your son when he brought the money back, did not give you the money or any part of it?—No.

1677. Not for anything?—Well, he might on the Saturday night; he pays me so much a week for his board and lodging; I will not swear he might not give me some of the silver.

1678. Within half an hour of his bringing that money back, did he hand you that money or any part of it?—No.

1679. Not for anything?—No.

1680. You mean to adhere to that?—Yes.

1681. The son works for you?—Yes.

1682. Has he any wages from you?—Yes.

1683. What?—About 8 *s.* when he works all the week.

1684. *Committee.*] Eight shillings besides what?—Besides his victuals and lodgings.

1685. Mr. *James.*] You said to Mr. Martin that you applied for three of your sons; when did you learn that application had been made for three of your sons?—I do not think I stated that to Mr. Martin.

1686. What made you say it was not right that your sons in the plural should be put down, and not paid?—I cannot answer that question exactly.

1687. Cannot you give an explanation to the Committee why you complained that your sons should be put down, and only one paid?—I suppose I thought at the time it was not right.

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1688. Did you think at the time three sons had been put on?—I must think of that.

1689. Who told you that three sons were on; now speak the truth, pray?—I cannot recollect.

1690. Were you told at all that your three sons were on?—No, I was not.

1691. What made you say that it was not right that your sons should be put on, and only one paid?—I might have had a little ale or beer.

1692. Were you drunk when you said that?—No, I am not in the habit of getting drunk; that is well known in Cambridge.

1693. Then answer the question?—It might be something wrong that I said in a joke or chaffing; because I did not know they were on, I will be on my oath.

1694. Did you complain that your sons had been put on, and only one paid to Mr. Martin?—I cannot answer that question.

1695. You say you cannot answer the question?—I cannot; I might say such a thing, but if I said it, I had no meaning in it.

1696. Is that the answer you give to the Committee?—Yes.

1697. Might you have made the same complaint to Raiment?—No, I never did.

1698. That you swear?—Yes.

1699. You did not say you only got paid for one?—I might say to Raiment that there was only one paid.

1700. Did you complain of it?—Complain, no; if I did speak, it was speaking generally.

1701. Did you say to Raiment only one of your sons had been paid on your oath?—I might say it, but I do not recollect it.

Cross-examined by Mr. *Slade*.

1702. Who was the son that was on, Japhet?—Yes.

1703. Did that son ask you to get him employed as a messenger?—Yes.

1704. And was that the occasion when you asked Swan, and he said for the life of him he could not do any such thing?—That was the time.

1705. Did you ask to have more than one son put on?—No.

1706. When did you know that Japhet had been put on; did you know it at all?—I did not.

1707. Did he ever tell you he had been put on?—He might, but I forget it; I did not bear that in mind.

1708. You have got that paper in your mind; you must have known it?—I knew that he was on.

1709. When did you know it?—He might tell me when he came away from the "Eagle."

1710. I am asking you what was done; if you can tell, say so; if not, also say so; can you tell us when you first knew your son Japhet was on as messenger?—As far as my recollection will take me, I think it was about two or three days before the election.

1711. Did he tell you how he got on?—By applying to Mr. Barlow to the "Eagle," I think he said.

1712. Do you know that he was about the business of the election during the day of election?—Yes.

1713. You know that?—Yes.

1714. Running about on messages?—Yes, I believe so; I saw him running about; I saw him at the committee-room at Parker's Piece; and I saw him at the committee-room at the "Eagle."

1715. Then you saw him employed in the ordinary way as a messenger?—Yes.

1716. Now I ask you was any part of this 7*s.* 6*d.* paid to you?—No, not directly.

1717. I believe the son accounts to you every week?—Yes.

1718. You said just now that he got his board and lodging, and that you paid him when he was at work 8*s.* per week?—Yes.

1719. And his board and lodging?—Yes.

1720. Does he pay for his board and lodging?—Yes.

1721. What

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1721. What do you mean; do you give him his board and lodging, and 8*s.* a week?—He accounts for the board; I give him 18*s.* a week, and stop 10*s.*

1722. You pay him the 8*s.*, and take the 10*s.* out for his board and lodging?—Yes.

1723. Would he have to pay you in money?—I do not understand; when I stop that money, I call it his paying of me.

1724. Would he have to pay you any part of the 7*s.* 6*d.*; you said, not directly?—He might have paid me something that I lent him.

1725. Did he?—I do not know that he did.

1726. What I want to ask you is this, were you to have any part of what he earned that day as a messenger?—No.

Re-examined by Mr. *James.*

1727. Now, I asked before, and I ask you again, directly or indirectly, upon any pretence whatever, did your son give you any part of that 7*s.* 6*d.*, and I caution you how you answer that question?—No, not that I know of.

1728. How has he to pay you anything?—Sometimes I lend him a little money over.

1729. And he has to repay your loans?—He has to repay me in that way.

1730. Had you lent him anything at this time?—I believe there was some little difference.

1731. Did he pay that back out of the 7*s.* 6*d.*?—I do not know; I cannot answer that question.

1732. You answered before, positively, that neither directly nor indirectly, nor on any pretence, did he give you any portion of that 7*s.* 6*d.*, and I cautioned you twice about it; do you adhere to that?—Not directly he did not.

1733. Did he indirectly?—Not that I am aware of.

1734. Did you not say he positively did not give you one farthing of that 7*s.* 6*d.*?—Not directly.

1735. *Committee.*] What day of the week was it that he got the money?—That I cannot tell you.

1736. How long after the election?—A few days, when the rest of the messengers were paid; I do not bear it in mind; I paid very little attention to it.

[The Witness was directed to withdraw.

Japhet Edwards, the younger, sworn; Examined by Mr. *James.*

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1737. YOU are the youngest son of your father?—No.

1738. Is there one younger than you?—Yes, a boy about eight years old.

1739. How old are you?—Seventeen.

1740. Do you work at your father's employment or trade?—Yes.

1741. What do you get a week?—Eighteen shillings.

1742. Does he pay that of a Saturday?—No, not all of it.

1743. How do you arrange it?—He pays me 8*s.* on the Saturday night, and then 10*s.* is left for board and lodging.

1744. That is your mode of arrangement?—Yes.

1745. Did your father tell you you were to be a messenger?—No.

1746. Who told you?—No one, only the people of the committee.

1747. Where did you go?—To the Eagle.

1748. Who told you you were to be a messenger?—Farney, Mr. Barlow's clerk.

1749. Who has been talking to you in the lobby?—Yes.

1750. Did you tell your father?—No, not till I was a messenger. I asked for an application; I asked to be put down as a messenger, and I was not a messenger till the day of the polling.

1751. How long did you act as messenger?—One day.

1752. What did you do?—Run from one committee to the other.

1753. You kept running backwards and forwards?—Yes.

1754. What were you carrying?—Carrying notes, and sometimes a message.

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1755. Between which committee-rooms?—Sometimes from King-street; sometimes from Regent-street to the one in King-street; sometimes from there to the "Chronicle:" that is about all.

1756. How many notes will you swear you carried?—I cannot swear to any quantity.

1757. Will you swear that you carried one?—Yes.

1758. When?—I cannot swear to any quantity.

1759. You will not swear you carried two notes?—No.

1760. What else did you do?—I do not know what you mean.

1761. Can you not tell the Committee what you did besides carrying two notes?—Messages.

1762. Verbal messages?—Yes.

1763. Who gave them to you?—Different gentlemen of the committee.

1764. How many messages?—I do not know.

1765. Will you swear to two?—Yes.

1766. You will?—Yes.

1767. How many?—I will not swear to any quantity above two.

1768. Who wrote that (*handing a paper to Witness*)?—My father; at the time they were making the bills out.

1769. How came your father to write that?—Because he was sitting at the table making bills out at the time, and I asked him to write it for me.

1770. What bills?—Bills to different gentlemen, for work he had done.

1771. Were you in a hurry?—Yes, I was. When I heard that they were paying messengers, I was in a hurry to get paid, as I wanted to get to work.

1772. You see your father has written three days; what does that mean?—Because I told him.

1773. Told him what?—To put down three days, because I believed I was a messenger; when I asked to be a messenger at the Eagle; I thought I was to be paid from that time.

1774. Who told him to put down three days?—I did.

1775. What had you done except on the one day?—Nothing.

1776. Who got the money?—I did.

1777. Who from?—Mr. Foster.

1778. How much did you get?—Seven shillings and sixpence.

1779. What did you do with the money?—I put it to my use.

1780. Did you give your father any of it?—No, not to my knowledge.

1781. Do not talk about knowledge; did you give your father, when you got it, any portion of that money?—No.

1782. Not a farthing?—No.

1783. That you swear?—Yes.

1784. Did you owe your father any money at that time?—No.

1785. There had been no little loans made from him to you?—How do you mean?

1786. Had he lent you any money?—No, not to my recollection; he might have lent me money that week.

1787. Did you repay what you owed him?—If I borrowed any, I did, on Saturday night.

1788. Out of what money?—I had money besides what was given to me by Mr. Foster; if I had some of that money, I do not know, I put it with other money.

1789. Had you been drinking with your father and your other brothers?—I had a glass of beer with my father.

1790. And your other two brothers?—No.

1791. Had your father spent 8 *s.* or 10 *s.* in your presence?—Not in my presence.

1792. Were your other two brothers messengers; were they on?—No.

1793. They were not on?—No; if they did, I know nothing about it.

1794. Where was your brother discharged from the Rifles living, do you know?—No.

1795. Was he on as Messenger?—No.

1796. Have you not heard that from your father?—No.

1797. You say when you made out that bill you thought you had a claim for three days?—I asked him to put it down as three days.

1798. And he did?—Yes.

1799. Did

1799. Did your father tell you he had been to Swan?—Yes; he had not been there; we were at work at the time, and he asked Mr. Swan.

1800. Did he tell you what Swan said?—Yes; Mr. Swan said, "I dare not do such a thing for the life of me."

1801. Did he tell you he had asked Swan to put three sons on?—No; he told me that he had asked for me.

1802. And that he had said he dared not do such a thing for the life of him?—Yes.

1803. Who did put you on?—Why, the committee at the Eagle.

1804. Which gentleman?—Mr. Barlow's clerk.

1805. And your father told you that Swan said he could not employ you for the life of him?—Yes.

1806. You heard nothing about the three?—No.

1807. Did your father talk to you about this being paid after the election?—He knew I got paid.

1808. Did he see the money when you brought it back?—Yes.

1809. Did you tell him?—Yes.

1810. What did he say?—I do not remember.

1811. He made no complaint about one only having been paid?—No, not the slightest.

1812. You told your father you were put on?—Yes.

1813. When was that, directly it was done; when were you put on, the night before the polling?—A day or two before.

1814. And you told your father you were put on as a messenger?—I told him my name was put on, but I did not know I was a messenger until I was up in Regent-street, and heard my name called.

1815. When was your name called?—On the day of the polling.

1816. About what time in the day was that?—Early in the morning.

Cross-examined by Mr. *Slade*.

1817. Some day before the polling you went to apply for the place of a messenger at the committee-room?—Yes.

1818. What day was that?—I do not remember.

1819. On the day of the nomination?—Before that; it was on the Friday, I believe.

1820. The nomination day was Saturday?—Yes.

1821. Were you then told that you would be put down as a messenger?—Yes; I asked for a place, and he said he would try and put me down as a messenger.

1822. Then, on Monday morning, you were all up there, and your name was called with the other messengers?—Yes.

1823. Did you do all you were directed to do during that day by the committee, or those gentlemen employed as agents?—Yes.

1824. Did you hold yourself in readiness during the whole of that day to do anything you might be required as a messenger?—Yes.

1825. When you got your father to write that paper, he was writing some bills down?—Yes.

1826. At that time had you reason to believe that you would be paid for three days?—Yes; because after I knew I was on as a messenger, I was sure of it, I thought.

1827. That your time would date from the time you applied?—Yes.

1828. When you took that paper to Mr. Barlow, he refused to pay you for more than one day, did he not?—Yes.

1829. And you were paid for that one day?—Yes.

1830. Was there any arrangement between you and your father that he was to have any part of this money that you were to earn as messenger?—There was no arrangement of the sort.

1831. Unless you owed him money, that he might be repaid out of it?—Yes; I put it with the other money in my pocket.

1832. You had other money in your possession besides that 7*s.* 6*d.* you got from Mr. Foster?—Yes.

1833. You say you and your father were working at Swan's?—Yes.

1834. Did you ask your father to get you put on?—Yes.

1835. You thought Swan might do it?—Yes.

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1836. When you heard Swan could not do it, you made an application yourself to the committee-room?—Yes.

1837. And then you were taken on?—Yes.

Examined by the *Committee*.

1838. Did you not know that you were put on till when; when was the first time you knew you were put on?—I was not sure I was on till the morning when my name was called over.

1839. What answer did you get from the committee-room, from Mr. Barlow's clerk, when you applied to be put on?—That they would try to put me on.

Mr. *James* stated that he had closed his evidence on this vote.

Mr. *Slade* said that he should not call any evidence.

Mr. *James* then addressed the Committee, contending that the vote was bad.

Mr. *Slade* was heard in support of the vote.

The room was cleared; Counsel and parties were called in.

The *Chairman* stated, that the Committee had decided that the vote was a good vote.

Mr. *Coleridge* stated that the next case he should take, would be that of Frederick Nicholson, under class No. 3, in which a vote had been given by Nicholson at the last election, although since the registration he had lost his qualification, by ceasing to reside within Cambridge, or within seven miles of it.

Mr. *John Eaden*, sworn; Examined by Mr. *Coleridge*.

Mr. *J. Eaden*.

1840. DO you know Frederick Nicholson?—I do.

1841. I believe he formerly resided at Cambridge?—Yes.

1842. Where does he now live?—At St. Ives.

1843. Have you seen him since the election?—Yes, I saw him on Tuesday last.

1844. Did he tell you when he left Cambridge?—He did.

1845. What did he say to you?—He told me that he left Cambridge on the 1st of November.

1846. Did he tell you where he went?—He went from Cambridge to St. Ives, to reside with his mother, who had a house by the water-side.

1847. Did he tell you whether he had been there ever since?—He said he had; his mother had left, and he was keeping the house himself.

1848. Did he tell you he had permanently left Cambridge?—Yes.

1849. What did he say as to having left Cambridge?—He said he had left Cambridge on the 1st of November; that he afterwards lived with his mother, and he continued in the same house, which he now had taken on himself.

Cross-examined by Mr. *Cooke*.

1850. May I ask where this conversation took place?—It took place in Sydney-street, Cambridge; he had been served with the Speaker's warrant then, and we spoke on the subject.

1851. About bringing him up to town?—Yes.

1852. To attend on the part of the petitioners?—Yes.

1853. Did you inform him that you were seeking to take his vote off the poll?—I did.

1854. If I understood you, he said he had taken to the house at St. Ives, which his mother occupied?—Yes.

1855. Whereabouts in Cambridge was he registered for?—He was registered for a house in Edward's Passage.

1856. Had you known him living in Cambridge?—Yes.

1857. As what?—As an auctioneer, he styled himself.

Mr. *J. Eaden.*

30 June 1857.

Re-examined by Mr. *Coleridge.*

1858. Do you know where he lived?—On the Chesterton-road.

1859. Do you know who lives there now?—I do not.

[The Witness was directed to withdraw.

Mr. *Robert Peters*, sworn; Examined by Mr. *Coleridge.*

Mr. *R. Peters.*

1860. ARE you Assistant Overseer of the parish of St. Edward, Cambridge?—Yes.

1861. Do you know Frederick Nicholson?—I do.

1862. Did he use to occupy a house in your parish?—Yes.

1863. On the Chesterton-road?—St. Edward's passage.

1864. Does he ocupy that now?—He does not.

1865. When did he cease to occupy it?—By looking into the rate-book, I may be able to tell you. (*After referring to the book*) I should say that Mr. Nicholson occupied it up to Christmas 1856.

1866. What became of it after that?—It is returned as vacant in the next rate made.

1867. When was the next rate made?—January 8th, 1857.

1868. He is rated in the Michaelmas rate; what is the date of the next rate, in January?—January 8th, 1857; then it is returned as vacant.

1869. Who occupies it now?—It is now occupied by a person of the name of Monson.

1870. When did he come in?—Lady-day 1857.

1871. It was occupied from Christmas to Lady-day, and is now occupied by a man named Monson?—Yes.

1872. Was there any rate between the 1st of November and the 6th January?—On the 13th November 1856 and January 8th, 1857; no rate between them.

1873. *Committee.*] Did you not say he paid the rate at Christmas?—I said it appeared to be occupied to Christmas; I did not say the rate was paid.

1874. Mr. *Coleridge.*] Was there no rate paid to Christmas?—The rate was not paid at all.

1875. He was rated, but he did not pay the rate?—Yes.

1876. He paid the rate up to the 13th of November?—Yes.

1877. Do you know, of your own knowledge, when he left?—I do not.

1878. You say you know he has gone now?—Yes.

1879. Do you know that he had gone in January?—It was after my January rate was made.

1880. *Committee.*] He only paid the rate up to the 13th November?—The November rate was not paid.

1881. Mr. *Coleridge.*] Which was the last rate he paid?—June 1856.

1882. *Committee.*] I thought you said he paid up to November?—No, he was rated; not paid.

1883. Mr. *Coleridge.*] When, of your own knowledge, can you say he went away?—After the November rate was made I passed the house, and saw his signboard taken down

1884. *Committee.*] Who paid the rate in July?—It has not been paid at all.

1885. Mr. *Coleridge.*] Just after you made your November rate you found the house vacant?—Yes.

1886. What was he?—An auctioneer.

1887. Did his signboard express that?—Yes.

Cross-examined by Mr. *Cooke.*

1888. You tell me there are 14 parishes in the borough of Cambridge?—Yes.

1889. And that you are assistant overseer to five or six?—To six of them, and collecting officer to another one.

1890. That makes seven out of 14?—Yes.

1891. Tell me in what parish Edwards' Passage is situate?—That part of

Mr. *R. Peters.*

30 June 1857.

Edward's Passage where Mr. Nicholson resided, is situate in St. Edward's parish.

1892. Is Chesterton-road a place out of the borough?—A portion is out of the borough; another portion is in the borough.

1893. Just refer to the rate in July; what is the date of that?—July 1856.

1894. The day in July?—July 10th.

1895. As I understand, he appears to be rated, and paid the rate on July 10th 1856?—Yes, he paid two rates that quarter.

1896. He paid his rate made July 10th, 1856?—Yes.

1897. If I rightly understand, he does not appear in Edward's parish to have paid any rate afterwards?—He does not.

Mr. *Coleridge* stated, the poll-book was now in, and that Frederick Nicholson, of St. Ives, auctioneer, polled for Macaulay and Steuart

Mr. *Cooke* admitted the poll-book.

1898. Do you know that his mother had a residence in Chesterton-road?—Some years ago.

1899. Do you know she has had it lately?—I know she has not lately.

Mr. *Cooke* stated that he should not call any evidence in this case.

Mr. *Coleridge* submitted that there was no evidence that the vote was bad.

Mr. *Cooke* was heard in support of the vote.

Mr. *Coleridge* asked the Committee if they thought it material to allow him to prove that St. Ives was out of the boundary of Cambridge.

The Committee assented.

Mr. *John Eaden* re-called.

Mr. *J. Eaden.*

1900. Mr. *Coleridge.*] DO you know St. Ives?—I do.

1901. How far is it from Cambridge?—Thirteen or fourteen miles.

1902. Mr. *Cooke.*] How far does the boundary of Cambridge borough go out of the the town itself; how far does the borough extend beyond the centre of town?—The borough and town are co-terminous at the same boundaries.

1903. How far beyond the centre of the town?—With the exception of two parts, St. Andrew's-the-Less, the one lying next to the railway, and the one towards Barnwell, it is in the centre of the town.

1904. Those are more extensive?—Yes. Chesterton-road is within the borough.

1905. Mr. *Coleridge.*] How far is St. Ives from the boundary of the borough of Cambridge nearest to it?—Twelve miles at least.

The room was cleared. After a short time, counsel and parties were called in.

The *Chairman* stated, the Committee had come to the conclusion that this was a bad vote, and ought to be struck off.

Mr. *Power* stated that the next case he should proceed with was Alfred Lyon's case, No. 118.

Mr. *Henry Lyons*, sworn; Examined by Mr. *Coleridge.*

Mr. *H. Lyons.*

1906. ARE you a chemist, living at Cambridge?—Yes.

Mr. *Slade* submitted that his friend should prove this vote in the ordinary way.

The *Chairman* stated that it must be done if Mr. Slade wished it, but inquired what would be the use of it.

Mr. *Slade* then admitted that the name of the voter was on the register, and that he polled for Steuart and Macaulay.

1907. Mr. *Coleridge.*] Are you brother to Mr. Alfred Lyon, the voter?—Yes.

1908. Did he, up to February last, carry on the business of a draper in Sydney-street?—Yes.

1909. Did

1909. Did he sell his business of a draper to a man of the name of Pratt, and did Mr. Pratt come into and take possession of his house and shop in Cambridge?—Yes.

1910. Did your brother then leave Cambridge?—I do not think he took possession until late in March.

1911. *Committee.*] To whom did he sell?—To Mr. Pratt.

1912. Mr. *Coleridge.*] When did your brother leave Cambridge?—In February, but paid rent to the 25th of March.

1913–14. When did he leave Cambridge?—I do not know.

1915. You say in February?—I think about February; my brother was backwards and forwards.

1916. He was some time disposing of his business?—Yes.

1917. When did he finally leave Cambridge?—I do not know the date at all.

1918. Can you tell me about?—I should say in February.

1919. Do you know where he went to live?—To Wardrobe Terrace.

1920. Where is that?—In Doctors' Commons.

1921. Is that more than seven miles from Cambridge?—Yes, I think so.

1922. Is he a married man?—Yes.

1923. Do you know where his wife went to?—I believe she was in Cambridge the greater part of the time.

1924. Where did she go?—To Sussex-street, in Cambridge.

1925. Is she a Bedfordshire person?—She has gone to Beford to live.

1926. When did she go?—I should say not until April.

1927. Did she go away from the premises that your brother sold to Pratt, and go to Sussex-street, at the same time he went to London?—That I cannot say.

1928. About the same time?—I think so; but I fancy she was backwards and forwards.

1929. Did she leave her premises in Sidney-street, and go to Sussex-street, about the same time he went to Wardrobe Terrace, in London?—Yes, there is no doubt about it.

1930. Have you got a sister living at Maidstone, in Kent?—I have.

1931. Do you know that your brother stayed with her at all after he left Cambridge?—As soon as this election began, I wrote to him to say he must come down and vote.

1932. Was he then at his sister's, in Maidstone?—No; he was in London, and he wrote to me to say he was going to Maidstone.

Mr. *Slade* submitted the evidence was not admissible.

1933. Mr. *Coleridge*] When he came down to vote, where did he go?—He came to my house.

1934. Is there another brother of yours, Mr. John Ronald Lyon, of Cambridge?—Yes.

1935. Did he go there?—No.

1936. When he came to vote, he came to your house?—He might have gone there; he slept at another brother's.

1937. He stayed at your house, and slept at another brother's?—Yes.

1938. How long was he there, more than a night?—Yes, two or three.

1939. He slept at another brother's, and stayed with you?—Yes.

1940. And did he go back to London?—He went back to London.

Cross-examined by Mr. *Slade.*

1941. What was Mr. Alfred Lyon, a draper?—Yes.

1942. You say he has got a wife; has he any children?—He has not.

1943. You say he returned backwards and forwards; you think, first of all, he left Cambridge in February. How often do you think he was backwards and forwards, after leaving Cambridge in February?—He was back several times.

1944. Where did he come to?—He came to my house; I believe he assisted Mr. Pratt, until things were finally settled.

1945. Where was his wife during this time?—In Sussex-street, Cambridge.

1946. You cannot say exactly when he finally left Cambridge?—No, I do not know positively when he left Cambridge.

1947. Are you enabled to say with certainty when he finally left Cambridge,

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not intending to return?—He did not leave at all, not intending to return, because he is there now with me.

1948. Then, perhaps, it would be superfluous to ask this question: did he ever leave Cambridge, not intending to return till after the election?—No, he always meant to return; he is my clerk now; he is acting for me as clerk now.

1949. Then he was only a very short time?—He had a motive in going away: the fact is, he was in difficulties while he was in Cambridge, and he was arrested in London, and he was in Whitecross-street for some time.

1950. And then, when he got out of the sheriff's officer's hands, he came down to Cambridge?—He came down to me, and there he is now.

1951. And there he is likely to remain until the next election?—Yes.

Re-examined by Mr. *Coleridge.*

1952. He gave up his house on the 25th of March, the place he occupied?—He did.

1953. Who did you vote for?—Mr. Macaulay and Steuart.

1954. You say he let this house of his to Mr. Pratt?—Yes.

1955. Did he clear out bag and baggage by the 25th of March?—I should imagine he did.

1956. Have you any doubt about it?—I would not answer it positively.

1957. Had he any residence between the 25th of February and the 25th of March?—No.

1958. Was not Pratt in there on the 25th of March?—Yes; but Lyon was with him some time afterwards.

1959. And all his family?—He has no family.

1960. Do you know when he went to Wardrobe Terrace?—Yes.

1961. How long was he there?—Two or three weeks.

1962. Did he not hold those furnished lodgings in Wardrobe Terrace till the 20th of April?—No, not anything like the time.

[The Witness was directed to withdraw.

Mrs. *Matilda Cowen,* sworn; Examined by Mr. *Coleridge.*

Mrs. *M. Cowen.*

1963. WAS your husband, Thomas Cowen, the occupier of No. 5, Wardrobe Terrace, Doctors' Commons?—Yes.

1964. Do you remember a gentleman of the name of Alfred Lyon coming to your house in the early part of this year?—Yes.

1965. What time did he come?—About the 12th of March, the first time; I did not put it down; it was me let the place to him.

1966. Was it so late?—It may not be quite so late; I know it was no later.

1967. How long was he there?—I think about six weeks.

1968. Then, I believe, he was arrested?—Yes.

1969. When was he arrested?—On the 22d of April.

1970. He had been there six weeks?—Yes, I should think six weeks; I did not put it down, being a weekly tenant.

1971. Did he tell you where he came from?—He did.

1972. Where did he say he came from?—From Cambridge, and that he went from my house to vote.

1973. He went from your house to vote at Cambridge?—Yes.

1974. What did he say?—He did not say he was going to vote; but he came and told me he had been.

1975. Did he tell you why he left Cambridge?—I think only from his being insolvent; I know no other reason.

1976. Did he say so?—Yes; he told me he had left Cambridge.

1977. Did he say what he had done with his house or business?—Nothing at all; I did not know how long even he had lived there.

1978. He told you he had left Cambridge because he was insolvent?—He said he came up to go to prison; he did not say he was going back; he rather expected he should be; he was under an arrest at the time. I wish to tell the truth so far as possible.

Cross-examined by Mr. *Slade.*

1979. Did he tell you that he wished not to take the benefit of the Act in Cambridge, and, therefore, he came up to London?—He did not.

1980. Did he tell you he came to London for the purpose of going to prison?—He told me he expected to be arrested, or that he was bound for some gentleman at Cambridge, and he expected to be arrested for the amount.

1981. Did he tell you how he came to be arrested?—No.

1982. Did he say he was going to prison?—He said he was fearful that would be the case.

1983. You said he left Cambridge because he was insolvent?—I do not know that I said that.

1984. He told you that he left Cambridge because he was insolvent?—I really did not know that he was insolvent except on this account; I do not know that he told me he was insolvent. This is what he told me, that he was bound for some gentleman for a certain sum of money, and he could not pay, and he expected he should have to go to prison.

1985. Did he not at the same time give you a reason why he had left Cambridge?—He did not.

1986. How often did he leave your house at the time you say he was there?—I cannot say.

1987. Try?—He went once or twice to Brighton on the Saturday, and came back again on Tuesday, once; and I think he was away nearly a week when he came back from Cambridge, but part of that time he was at Brighton, at least he said so.

Examined by the *Committee.*

1988. Did Alfred Lyon give you any intimation that he intended to go back to Cambridge if he could get his difficulties settled?—He did not; he went to Cambridge from my house.

1989. He never gave you any intimation that he intended to go back to Cambridge?—He did not.

Mr. *Power* stated he would put in his payment of expenses as an out-voter.

The *Committee* were of opinion that that document was not admissible.

Mr. *Power* contended upon the evidence that the vote was bad.

Mr. *Slade* was heard in support of the vote.

The room was cleared.

Counsel and agents were called in.

The *Chairman* stated the Committee were of opinion that this vote was a good vote.

[Adjourned till Twelve o'clock To-morrow.

Mercurii, 1° die Julii 1857.

RICKARD DEASY, Esq., IN THE CHAIR.

AT a Meeting of the Committee, the Chairman stated that he had received a note from the Marquis of Blandford, informing him that, in consequence of the death of his father, the Duke of Marlborough, he was unable to attend. The Chairman further stated that, according to Act of Parliament, the Committee would have to wait one hour, and then report the absence of the Marquis of Blandford to the House.

The Committee then adjourned till one o'clock.

On the re-assembling of the Committee, the Chairman stated that he had reported the circumstance to the House, and that the House had made an Order that the Marquis of Blandford be discharged from further attendance on the Committee.

Mr. *Power* stated that the Petitioners proposed to proceed with the case of the Rev. George Maddison, on the ground of non-residence.

Mr. *Samuel Hutt*, sworn; Examined by Mr. *Coleridge*.

Mr. *S. Hutt.*
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1990. ARE you assistant overseer and rate collector of the parish of St. Mary-the-Less, Cambridge?—Yes.

1991. Was the Rev. George Maddison occupying a house in St. Peter's Terrace, in the parish of St. Mary-the-Less, until after the 31st of July 1856?—Yes.

1992. I believe there was an objection taken to his vote at the last registration, and you proved he had occupied until after the 31st July?—Yes.

1993. And resided there?—And resided there.

1994. Was Mr. Maddison, in the Spring of last year, presented to the living of Grantham?—I do not know.

1995. Did Mr. Maddison leave Cambridge for Grantham in the month of August, 1856?—I cannot say the precise time Mr. Maddison left; when I called on Mr. Maddison, in the month of August, for his vote, his house was in confusion, the floor-cloth was up, and they had commenced packing up.

1996. What did you call for?—His rate in the current year made in July.

1997. Did he say anything to you?—I had some conversation with Mr. Maddison at the time; he told me he was about leaving in a few weeks; that is all I remember.

1998. Did he say anything about the rate?—No, he did not say anything at all about that in particular; he told me it was the last time he should have to pay me the rate.

1999. Do you know that he did leave Cambridge soon after that?—I know the house was empty on Michaelmas-day.

2000. Was anything put up?—There was a paper put up to let; I go round always, and I had to return, the next quarter, the house as empty.

2001. You found it was empty, and you so returned it?—Yes.

2002. Has it remained empty from that time to this?—Yes.

2003. And is now empty?—Yes.

Cross-examined by Mr. *Slade*.

2004. Is it Mr. Maddison's own house?—Yes.

2005. Does it still remain his house, to the best of your knowledge?—It is Mr. Maddison's house still; I have had no notice to the contrary.

2006. Did

Mr. *S. Hutt.*

1 July 1857.

2006. Did you see Mr. Maddison in Cambridge in March?—I did not.

2007. Have you ever seen Mr. Maddison in Cambridge since?—Not to my knowledge.

2008. Was there a servant left in the house?—No.

2009 Who took care of the house?—It was quite empty, with a paper outside the door, "To let; inquire of Wentworth & Son."

2010. Was it under the charge of Messrs. Wentworth?—I don't know; Mr. Wentworth is an house agent, valuer, and auctioneer.

Mr. *Power* summed up the evidence.

Mr. *Slade* was heard in support of the vote.

The room was cleared.

The *Committee* deliberated.

Counsel and agents were called in.

The *Chairman* stated, that the Committee had resolved that the vote was a good vote.

Mr. *Coleridge* stated, the next case he would proceed with was that of William Bavey, on the ground of non-residence.

Mr. *William Bavey*, sworn; Examined by Mr. *Coleridge.*

Mr. *W. Bavey.*

2011. DID you formerly live in Corn Exchange-street, in the parish of St. Mary-the-Great, Cambridge?—Yes.

2012. And were a voter?—Yes.

2013. When did you leave Cambridge?—In September.

2014. Where did you go to live?—I came up to London.

2015. Have you remained in London ever since?—Yes.

2016. Where?—St. Mary-at-Hill.

2017. That is near Billingsgate?—Yes.

2018. Did you leave a daughter behind you for a little while at Cambridge?—Yes.

2019. Did she follow you to London?—No.

2020. Where did she go?—I left her in the house which I left.

2021. How long was she there?—A week or a fortnight afterwards.

2022. Where is she now?—In service in Cambridge.

2023. I believe you went down to vote for Macaulay and Steuart?—I did.

Cross-examined by Mr. *Slade.*

2024. Was it a little pressure of money that made it convenient for you to leave Cambridge?—It was. I wanted a little money.

2025. You were obliged to leave Cambridge on account of that, I suppose?—I certainly was obliged, and yet I was not obliged. I had a few friends, but I did not like to stop any longer.

2026. You might have had somebody after you that you did not want to see?—I was not at all afraid of that; 5 *l.* would have cleared off everything I owed.

2027. This house in which you left your daughter, was it your own house?—No.

2028. Whose was it?—It belonged to Mr. Smith.

2029. Were you renting it?—Yes.

2030. Did you leave your furniture in the house?—I did.

2031. Have you got a wife?—No.

2032. You left your furniture and your daughter in the house?—Yes.

2033. At the time you left Cambridge you intended to come back again?—That I did not know exactly. I have got a daughter here, and I came up to see her.

2034. Had you made up your mind to leave Cambridge for good?—That I cannot say, whether I had or not.

2035. You are better able to say than I am?—If things turned out well here, I should have gone back again.

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2036. You say you are at St. Mary-at-Hill, London, whose house is that; that is not yours?—No, that is my daughter's.

2037. You have got no house of your own in London?—No.

2038. Are you not in lodgings in London?—I am in lodgings.

2039. I thought you were visiting there?—I am living with my daughter, helping her.

2040. But you are not liable for any of the rent or the expenses of the house where you are living?—None at all.

2041. What became of your furniture in the house at Cambridge?—I left it to the landlord.

2042. Do you know whether he took it?—I do not think all of it; he took some of it.

2043. What became of the rest?—It was given to my children.

2044. Have you children at Cambridge?—Yes.

2045. How many?—I have three daughters and a son.

2046. Where are they living in Cambridge?—Two of the girls are in service, and one is married, and the son is at work there as a labourer.

2047. Has he got a house of his own?—No.

2048. Lives in lodgings?—Yes.

2049. Up to what time were you liable to the landlord for the rent?—I should think about three months.

2050. When was it you left?—In September.

2051. Then you were liable up to Christmas?—No, I did not hire my house yearly.

2052. You say you were liable for three months' rent?—Yes; at September I could leave by giving a month's notice.

2053. Did you give the month's notice?—No.

2054. Did you give any notice at all?—No.

2055. Have you ever given any notice?—No.

2056. I am afraid you are liable still?—I do not know; they must please themselves about it.

Re-examined by Mr. *Coleridge.*

2057. You say you left your furniture behind you for your landlord to take if he liked?—Yes.

2058. Did you owe him rent?—Yes.

2059. And, except for the voting, you have never been back to Cambridge since?—No.

2060. And you have never been at your house; you do not know what there is in it at all; what has become of the house you do not know?—No; the house is there, I suppose.

2061. What has become of it you do not know?—No.

2062. Where did you go when you went to Cambridge?—I went to several places; I went to a brother-in-law of mine; I lodged there.

2063. How long did you stay in Cambridge?—From one Monday till the Monday following.

2064. Did you spend that time with your brother-in-law?—Partly in one place, and partly in another.

2065. Did you go to see your house?—I went and looked at it.

2066. How did it look?—Shut up the same as houses generally are when they are unoccupied.

2067. You did not go into your house at all?—No, I did not; I went into the yard.

2068. Not into the house?—No.

Examined by the *Committee.*

2069. What business did you follow in Cambridge?—I was in the tripe and neatsfoot line.

2070. Had you given that up before you left Cambridge?—No.

2071. Have you been doing any business in London?—No.

2072. Only living with your daughter?—Yes.

2073. You said if things turned out well you might come back again?—If I could

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could have had a few pounds to go back again; if I could have got five or six pounds so as to clear my expenses, I should have tried it on again.

2074. You never gave any warning to your landlord?—No.

2075. Are you liable for rent now?—I think not; the landlord took possession after I left.

2076. Has he taken possession?—Yes; and he gave my children part of the things in the house.

2077. And he took all that he did not give your children?—Yes; he had a broker there to value them.

2078. Has he got possession of the house?—He took possession then.

2079. When?—That was in September.

[The Witness was directed to withdraw.

Mr. *Coleridge* summed up the evidence.

Mr. *Slade* was heard in support of the vote.

The room was cleared.

The *Committee* deliberated.

The Counsel and agents were called in.

The *Chairman* stated that the Committee had decided that the vote was a bad vote.

Mr. *Coleridge* said that the next case the Petitioners would proceed with would be that of William Henry Lawrence.

Mr. *Robert Peters*, sworn; Examined by Mr. *Coleridge*.

Mr. *R. Peters.*

2080. I BELIEVE you are assistant overseer and rate collector in the parish of St. Giles, Cambridge?—I am.

2081. William Henry Lawrence lived in that parish?—He did.

2082. Do you know when he left Cambridge; or has he left Cambridge?—Mr. Lawrence himself left Cambridge before Christmas, 1856.

2083. Mr. *Slade.*] How do you know?—By information from his wife.

Mr. *Slade* objected to the evidence.

2084. Mr. *Coleridge.*] Do you know where Mr. Lawrence's house is?—I do not.

2085. You have been to the house?—I have been.

2086. Do you know the house in Cambridge?—Yes.

2087. The house that was Lawrence's?—Yes.

2088. When did you last see him at that house?—I have not seen him at that house since Christmas 1856.

2089. Did you call for a rate at that house shortly after Christmas?—I had occasion to call for a rate before Christmas at that house.

2090. Was he there?—I did not see him there.

2091. Was his wife there?—Yes.

2092. Did she pay you any rate?—Not any at that time.

2093. *Committee.*] This was before Christmas?—Yes.

2094. Mr. *Coleridge.*] Was that rate ever paid?—No; it has never been paid.

2095. Have you seen his wife at the house since?—I have not seen his wife at the house since Christmas.

2096. Do you know when she went away?—A few weeks after Christmas; saw the furniture being removed from the house.

2097. Do you know where it was taken to?—I do not.

2098. Have you seen her in Cambridge since then?—I have not.

2099. Have you seen him in Cambridge since?—I have seen him occasionally in the street when I was passing.

2100. When was that?—At the time of the election.

2101 Except that, you have not seen him in Cambridge since?—No, I have not.

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Cross-examined by Mr. *Slade.*

2102. You are an overseer of St. Giles's?—Yes.

2103. Not the overseer of St. Edward's; is there any parish called St. Edward's?—Yes.

2104. Are you assistant overseer for that too?—I am.

2105. Can you tell the Committee whether Lawrence was registered for Merton place, in the parish of St. Giles?—He was.

2106. Did he come from St. Edward's-passage, in the parish of St. Edward?—He did; I have put him on the list with a double qualification.

2107. Six months before he had come from St. Edward's-passage, to Merton-place, St. Giles's parish?—Yes.

2108. How many parishes are there in Cambridge?—Fourteen.

2109. Are you assistant overseer of all?—No, seven.

Re-examined by Mr. *Coleridge.*

2110. Do you know who succeeded Mr. Lawrence in St. Edward's-passage?—Yes; Grey, a bookbinder.

2111. He came there after Lawrence went away?—He did.

2112. Is he there still?—Yes.

2113. When did the change of residence take place from St. Edward's-passage to Merton-place?—In the rate made January 17th, 1856.

2114. And he had left St. Edward's-passage in January 1856?—He removed in Christmas 1855.

2115. Who was his landlord at St. Edward's-passage?—A Mr. Nicholson was at that time.

[The Witness was directed to withdraw.

William Henry Lawrence, sworn; Examined by Mr. *Coleridge.*

W. H. Lawrence.

2116. DID you formerly live in Cambridge?—Yes.

2117. Did you live in St. Edward's-passage at any time?—Yes.

2118. When did you leave St. Edward's-passage?—I left last Christmas.

2119. Where did you go to from St. Edward's-passage?—To Merton-place.

2120. Was that a house that you took of a Mr. Charles Warren?—Yes.

2121. When did you leave that?—About three weeks after last Christmas.

2122. Where did you come to?—To London.

2123. Have you lived in London ever since?—Ever since.

2124. Did your wife and children come to you in London?—I went back and fetched them.

2125. Did they come to you in London?—Yes.

2126. When was that?—Three weeks after Christmas.

2127. You had to come to London before that?—Yes.

2128. You went back three weeks after Christmas, and fetched your wife and children after that?—Yes.

2129. And you have been living with them in London ever since?—Yes.

2130. In Camberwell?—Yes.

2131. Did you go down to vote for Macaulay and Steuart?—I did.

Mr. *Slade* stated that he should not give any trouble with regard to this vote.

The *Chairman* stated that the Committee decided that the vote should be struck of the poll.

Mr. *Power* applied to the Committee to re-hear Maddison's case, on the ground that he was now prepared with evidence to prove that the town clerk of Cambridge had seen that gentleman, and that he had told him that he was not only about to leave Cambridge, but that he was about to go to Grantham; and subsequently, that he was residing at Grantham for a considerable time previous to the election.

Mr. *Slade* objected to the application being granted.

Mr. *Power* was heard in reply.

The

The room was cleared. *W. H. Lawrence.*

The *Committee* deliberated. 1 July 1857.

Counsel and agents were called in.

The *Chairman* stated that the Committee were of opinion that the application ought not to be complied with.

Mr. *Coleridge* stated that the next case on the part of the petitioners was that of William Gaylor, objected to on the ground of non-residence.

Mr. *John Eden*, sworn; Examined by Mr. *Coleridge*.

Mr. J. Eden.

2132. DID you see Mr. William Gaylor, the voter, on the 25th of April last?—Yes.

2133. Had you an interview with him?—Yes. Mr. William Gaylor is in the room.

The *Chairman* stated that, as the voter was in the room, it would be much better to examine him at once.

William Gaylor sworn: Examined by Mr. *Coleridge*.

W. Gaylor.

2134. YOU voted at the last election at Cambridge for Macaulay and Steuart?—Yes.

2135. Did you formerly live in Cambridge, at a place called the Blackamoor's-head-yard?—Yes.

2136. At a public-house called the Tally-ho?—Yes.

2137. When did you leave Cambridge?—The 7th of April 1856.

2138. Where did you go then?—To London.

2139. Where did you go in London; to a Mr. Howden?—Yes; Duke-street, Smithfield.

2140. Is he a boot and shoemaker?—Yes.

2141. Did you lodge there with an apprentice of Howden's?—No.

2142. Did you lodge with Howden?—Yes.

2143. When did you go to lodge with Howden?—On the 9th or 10th of November.

2144. Where had you been between April and November?—At No. 9, Dobie-court.

2145. From April to November you went to live at No. 5, Dobie-court, and then you went to live with your master?—No, not all the time; I have been living at Islington several weeks.

2146. In November you came to lodge with your master, in Duke-street, West Smithfield?—Yes.

2147. How long did you continue to lodge with him there?—Up to the 29th of March, the day before the polling-day.

2148. *Committee.*] You were lodging with Mr. Howden?—Yes.

2149. Mr. *Coleridge.*] Were you working for him in his trade?—Yes.

2150. Living in his house?—Yes.

2151. From November to the 29th March?—Yes.

2152. Then you went to the poll?—Yes.

2153. When did you come from Cambridge?—On the following Monday.

2154. Where did you go then?—Back to Howden.

2155. How long did you stay with Howden then?—A fortnight.

2156. You went back to work with him as before?—Yes.

2157. Were you working in Cambridge as a shoemaker before you came to town?—A bootcloser.

2158. And you pursued the same trade in London?—Yes.

Cross-examined by Mr. *Slade*.

2159. You were a boot closer in Cambridge?—Yes.

2160. Work was rather slack, and you went up to London?—Yes.

2161. You still considered Cambridge your home?—Yes.

 2162. Have

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2162. Have you a house in Cambridge which you rented?—Yes.
2163. Of Mr. William Potts?—Yes.
2164. And that house was in Blackamoor's-head-yard, Cambridge?—Yes.
2165. Had you rented that house ever since 1854?—Yes.
2166. And do you rent that house now?—Yes.
2167. And do you live in it now?—I do.
2168. Have you come up from Cambridge under a warrant of the Speaker?—Yes.
2169. Since you took that house in 1854, have you ever given it up?—No.
2170. Did you go to that house during the time you were at Howden's looking out for work in London, between the time you left Cambridge and the day of the election?—Yes, once, one day.
2171. *Committee.*] What time was that?—Some time in August; I cannot exactly tell the day of the month.
2172. Mr. *Slade.*] Are you single or married?—Single.
2173. Your mother resides in that house in Blackamoor's-head-yard?—Yes.
2174. Is it a public-house?—Yes.
2175. Does she carry on the business for you?—Yes.
2176. And accounts to you for the profits of the house?—Yes, for the time I am away.
2177. Is it a matter of common occurrence for the bootclosers in Cambridge to go away for work?—Certainly, when it is slack there.
2178. When it is slack there, you go away for work to London?—Yes.
2179. You pay the rent of the house?—I do.

Re-examined by Mr. *Coleridge.*

2180. It is a public-house?—Yes.
2181. Who has got the license?—I think the license is in my mother's name now.
2182. When did your mother last account to you?—I do not understand you.
2183. What did you mean by telling Mr. Slade that she accounted to you?—
2184. Mr. *Slade.*] For the profit of the business?—The time I was away, about a fortnight before I went home——
2185. When was that?—Before the polling day.
2186. She accounted to you?—Yes.
2187. Down at Cambridge?—No.
2188. When was that?—A fortnight before the polling day.
2189. She accounted to you for your business?—Yes.
2190. That you swear?—Yes.
2191. Did you not see Mr. Eden on the 25th of April at Cambridge?—I don't know exactly about the 25th; I saw Mr. Eden.
2192. Did you see him towards the latter end of April?—I think I did.
2193. Have you any doubt you did?—I will not say; I don't exactly know the time I did see him.
2194. Was it towards the latter end of April; was it three weeks after the election?—Yes.
2195. Was your mother there?—She was.
2196. Did you not tell Mr. Eden that the license was your mother's, and that the business was your mother's, and that you had nothing at all to do with it?—I did not.
2197. Mr. Eden is here?—I know Mr. Eden; I did not tell him no such thing as that.
2198. What did you say to him?—I don't know what I did say. The business has been mine, and the house has been mine ever since I occupied it.
2199. Did you not tell him the house was your mother's, or something to that effect?—No.
2200. Did you not tell him you were quite willing to come and tell it to the Committee?—I told him I was quite willing to come and tell the Committee the truth.
2201. Did he not ask you what you were willing to tell the Committee?—No.
2202. Did he not ask you at all?—No.

2203. Did

2203. Did he not ask you whose the business was?—No.

2204. That you swear?—I will.

2205. And you did not tell him anything?—No.

2206. Nothing at all?—All I told him was when I left Cambridge and when I returned.

2207. Nothing at all about the business?—No.

2208. Not a word?—No.

2209. Do not misunderstand me; whether he asked you, or whether you told him, did nothing pass between you about whose the business was?—No, no such thing.

2210. Nothing of the kind passed?—No.

2211. Did you tell him the business was your own?—I did.

2212. That you swear; that you told Mr. Eden the business was your own?—The business was my own; he asked me how long it was I had left Cambridge.

2213. I will have an answer to my question; did Mr. Eden ask whose the business was?—No, he never mentioned the business.

2214. He never mentioned the business at all?—Never.

2215. Nothing passed at all about it?—Nothing.

2216. Did you tell him it was yours?—No.

2217. Did you say anything to him about the license?—Not that I am aware of.

2218. Just recollect, are you certain you did not; will you swear you told him nothing about the license?—I will swear there was nothing mentioned about the house or business.

2219. I am asking about the license?—There was nothing at all mentioned about it.

2220. What made you doubt whether you said anything about the license; are you quite sure nothing passed about the lieense?—Not a word.

2221. Was anything said about your mother having the license?—There might be a word about the license; I was wrote up to, last November, about the license.

2222. On the 25th of April; the latter end of April?—I might tell him that.

2223. Did you tell him?—I think I did.

2224. State what you think you did tell him?—I told him I could not make it convenient to come down; and I wrote down to my mother to take the license in her name.

2225. In April?—No, in November.

2226. Did you tell Mr. Eden this when you saw him in April?—I cannot say.

2227. Did you tell him at all?—I do not know.

2228. I thought you said just now such a word might pass?—It might pass.

2229. Have you no recollection whether it did or not?—No.

2230. You have no recollection whether that passed or not?—No.

2231. That you swear?—Yes.

2232. What do you think about it; did it or not pass?—I have no belief.

2233. You have no belief whether it passed or not?—No.

2234. You say that you did send down to your mother to have the license taken out in her name in November last?—Yes.

2235. In November last?—It was in November, I think.

2236. Was nothing said about the license being taken out in your mother's name when you and Eden and your mother were together?—No.

2237. You swear that positively?—Yes.

2238. Who is the landlord?—Mr. William Potts.

2239. Who is rated for it?—I am.

2240. Up to when?—I do not know; I have got the receipts in my pocket.

2241. Mr. *Slade.*] Then produce them?—Yes; those are the receipts (*handing in the same.*)

2242. Mr. *Coleridge.*] The last rate was made in September 1856; if you can find one later show it?—That must be the last one; I dare say I have got some at home later than them.

2243. You brought those receipts to show the Committee?—Yes.

2244. Why did you not bring the others; you thought them unimportant, perhaps?—Yes, certainly; I thought these would be proof enough.

2245. The ones you left behind were unimportant?—Yes.

2246. And those are the later receipts?—The last receipts?

 2247. Yes?

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2247. Yes?—No, I think I have some later than these.

2248. What do you mean; that you have got later receipts, and that you have not brought them?—I will not swear these are the latest.

2249. You have left them at home?—Yes.

2250. Why?—I will not swear that I have some later than these.

2251. *Committee.*] Do you know whether you have or not?—I do not.

2252. Mr. *Coleridge.*] Will you swear that you have a single one later than the latest of those?—No, I will not.

2253. When was it you put those together to bring up?—Last Thursday morning, when I came up here.

2254. Knowing what you were going to be examined about?—Yes.

2255. Did you show any of those receipts to Mr. Eden?—Not that I am aware of.

2256. Did you tell him anything about your rating?—Not that I am aware of.

2257. Did he ask you anything?—Not that I am aware of.

2258. Did anything pass between you and him about the rating?—Nothing.

2259. Now do you mean to repeat that nothing passed between you and him at all as to who had the license?—Well, I will not swear to it; I cannot say anything about it.

2260. That is rather odd; it did not happen very long ago?—No, it did not; I dare say I was in beer when Eden came there.

2261. You did not know what he said?—I can recollect something of what he said; that is very certain.

2262. You do not undertake to say that you did not say anything about the license?—No; but I do not think I did.

2263. You will not swear you did not?—No.

2264. What sum of money did your mother ever send you on account of this business?—Sometimes a pound, sometimes 10*s.*, just as I liked to write for it; whenever I wanted it, I wrote and had it.

2265. How was it sent to you?—By Post-office order; sometimes in postage stamps.

2266. Sometimes in Post-office orders?—Yes; sometimes in a parcel.

2267. Money; silver and gold?—Yes; and other things besides.

2268. What other things, clothes?—Sometimes a little bit of meat.

2269. By Post-office orders; when you wanted your money, you wrote to your mother and got it?—Yes.

Mr. *Slade* submitted, that as Mr. Coleridge had gone into new matter in his re-examination, he ought to be at liberty to further cross-examine the Witness.

The *Committee* assented.

2270. *Committee.*] You said you paid the rent?—Yes.

2271. To whom did you pay it?—To Mr. Potts.

2272. Personally?—When I was away my mother paid it.

2273. He lives at Cambridge?—Yes.

2274. You did not pay him yourself?—No.

2275. Have you got receipts for rent; have you them here?—I think they are here.

2276. Mr. *Power.*] Has the other side got them?—Yes.

2277. *Committee.*] You said your mother sent sums of money to you on account?—Yes.

2278. Did you ever get an account of the profits of this public-house?—No; when I wanted money, I always had it when I wrote.

2279. You never got any account of it?—No.

2280. Why was the license transferred to her name in November?—I cannot exactly say the day.

2281. Why was it transferred?—Because I could not make it convenient to go down; I had plenty of good work up here then, which I could not leave.

Mr. *Coleridge* submitted that this was the mere case of an ordinary Witness, and that therefore his learned friend, Mr. Slade, ought not to be allowed further to cross-examine.

The

The *Committee* were of opinion that Mr. Slade ought to be at liberty to further cross-examine the Witness; but that Mr. Coleridge might further re-examine him. *W. Gaylor.* 1 July 1857.

2282. Mr. *Slade.*] Just explain how it was there was an alteration in the license?—I came to London to work; and I had plenty of work in November, and could not leave to go down.

2283. Is that the time when the licenses are granted?—The 20th of November.

2284. Then, because you could not make it convenient to go down to Cambridge, did you have a letter from your mother, to arrange that the license should be taken out in her name?—I did; I wrote two or three.

2285. Since that you have been at Cambridge; you went back in the middle of April?—I went back about a fortnight after Easter.

2286. Have you been conducting the house as the landlord?—Yes.

2287. With regard to this conversation with Mr. Eden, where did it take place?—At my place.

2288. Did he come down to you?—Yes.

2289. After the election?—Yes.

2290. Did he tell you what he wanted with you?—He asked me, "I suppose you will not be against going up to London with me and a few more"? I said, "No."

2291. Had he put anybody on your back before that?—No; he did after.

2292. Did he put a man called Morgan on your back?—Yes, he did.

2293. Were you offered 20*l.* to tell what they called the truth?—I was; I was offered 50*l.* before that.

2294. Was it through Mr. Eden?—He was authorised by Mr. Eden, he said, to give me 20*l.*.

2295. Did Morgan take you to Eden & Cotterill's?—Of course.

2296. Did Eden & Cotterill try to worm anything out of you in their office?—He went and told Mr. Eden that I knew enough to unseat both the Members, Morgan did; and I got hold of his collar and pulled him back; and Mr. Eden said, "Go out now, we are busy; don't kick up any row."

2297. They found you did not know enough to unseat them?—Yes.

2298. And you did not get the 20*l.* or the 50*l.*?—No.

2299. Did Mr. Eden ask you if you knew enough to upset the election?—No; he said, "I understand you know enough to unseat both Members."

2300. That was to you?—Yes.

2301. What did you say?—I said, "Who told you that?" he said, "Mr. Morgan," and of course I called Morgan.

2302. Just a name you would not like to repeat?—Yes.

2303. Previous to that, had Morgan told you that he was authorised by Mr. Eden to give you 50*l.* to tell the truth?—He told other parties he would give me 50*l.* if I would speak the truth; Mr. Potts's son.

2304. What did he tell you?—He told me he would give me 20*l.*

2305. And that he was authorised by Mr. Eden?—Yes.

2306. After that was it that Morgan took you up to Mr. Eden's?—Yes.

2307. And then Mr. Eden said, "I understand you know enough to unseat both Members"?—Yes.

Re-examined by Mr. *Coleridge.*

2308. You say you managed this for your mother just as much as before; that you are the landlord there?—Yes.

2309. Whose name is over the door?—My mother's; and will be till next November.

2310. When Mr. Eden saw you in company with your mother, was not that the time you have been telling Mr. Slade about?—About the 20th.

2311. No; you said Mr. Eden came and saw you in the presence of your mother at her house?—Yes.

2312. That is not the time you spoke of?—No.

2313. Morgan was not there then?—No.

2314. Was it after that you went to Mr. Eden's own house?—After the election.

2315. After he had seen you at your mother's house?—Yes.

2316. You say Morgan came, and talked to you?—Yes.

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2317. And after talking to you, he took you up to Mr. Eden?—Yes.

2318. Was the whole of what took place at Mr. Eden's what you told us; that Mr. Eden said, "I understand you know enough to unseat both the Members," and that you said that that was a lie?—Yes.

2319. And then he said he was busy, and could not attend to you any more?—That is what Mr. Eden said; he said, "Do not kick up any row here; I am busy now." Both Mr. and Mrs. Cotterill were engaged.

2320. Where did you carry on your business of bootcloser, at this same house?—Yes.

2321. Were you working for any one else?—No.

2322. Working for yourself there?—Yes.

2323. What made you go to London?—Work was slack.

2324. Did you know Mr. Howden before you went there?—No.

2325. You first became acquainted with him in London?—Yes.

[The Witness was directed to withdraw.

Mr. *John Eden*, sworn; Examined by Mr. *Coleridge*.

Mr. J. Eden.

2326. DID you, on the 25th of April last, or thereabouts, go to the Tally-ho, and there see Gaylor and his mother?—I did.

2327. He has told us that his mother's name is over the door; just tell us as shortly as you can what you went to him for, and what he said to you on that occasion?—I told him there was a petition pending, and that I wished to ask him some questions with regard to his vote, which he expressed his readiness to answer. The mother was present at that part of the interview, but she went away shortly afterwards.

2328. What did he say?—I then said to him, "I see your mother's name is on the door, whose house is it?" He said it was his mother's. I asked him who took out the license. He said his mother did. I asked him when he went to London. He said in the middle of October; that he went there to work with a Mr. Homer Howden, of 7, Duke-street, Smithfield, and that he lodged somewhere else first; but that on Lord Mayor's Day he went to lodge at his master's house; that he continued there until the day before the election. He said he came down on the Sunday, and returned again in a few days afterwards. I think that was about the substance of what he said then. I had another interview with him afterwards, at which he told me his reason for returning the last time was, that he had quarrelled with his master.

2329. Where was that, at his own house or yours?—It was at his own house; I called on him on a second occasion after I had seen his master, Howden.

2330. Then you had a second interview with him at his own house, and he said the reason he had left London was that he had quarrelled with his master?—Yes, I said, "Although I quarrelled with him, I knew he would not speak anything wrong of me."

2331. Did you see him more than twice at his own house?—No.

2332. Did you see him also at your own house?—I did once, in the presence of Mr. Cotterill.

2333. When was that?—Some fortnight or three weeks ago.

2334. What passed on that occasion?—He came with a man of the name of Morgan. I should say perhaps that Morgan had called on me beforehand, and said that this man could give us information. I merely mention that he came, or I supposed he came, in consequence of something I had said to Morgan.

2335. Something passed between you and Morgan, and after that he and Morgan came?—Yes.

2336. What passed then?—In the presence of Mr. Cotterill, I told him that any information he could give I should be glad to receive, and he would be paid his ordinary expenses as a witness. He said, "Is that all?" I said, "Yes." He then certainly did say that Morgan had offered him 50 *l.* I told him that was altogether out of the question, and ordered him out of the office at once. Morgan had no authority to see him, much more to make any proposition to him.

2337. You say you told him; did you say so to him?—Yes, I have no doubt I did say something of the sort to him at the time. I was rather angry at the time, and sent him out.

2338. Had you not authorised Morgan?—No.

2339. You

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2339. You say you had not authorised Morgan to see him?—I had not authorised Morgan even to see him; I should say that I had employed Morgan in other matters, but as soon as I heard of this, I discharged him instantly, and have never employed him since.

Cross-examined by Mr. *Slade.*

2340. Morgan was one of your clerks, one of the men whom you employed to pick the brains of these men?—Morgan was not one of my clerks. Morgan is one of those sort of men about town who are in the habit of picking up things at public-houses which we must use. He had been sent to me by Alderman Egan, of Cambridge, as a useful man. I told him that if he could bring me any information he would be paid for his trouble.

2341. In addition to Morgan, Sanderson was another of your men?—Yes.

2342. Have you got any body else?—There was another man of the name of Scott. Those three persons have been employed.

2343. In addition to that, you did not think it unworthy of yourself to go down to these parties to see what you could pick up?—I considered it was part of my duty, if I knew a witness could give material evidence, to see him.

2344. You were going down to elicit evidence from his own mouth for the purpose of disfranchising him?—Yes; which he well understood.

2345. You told him, "I am going to disfranchise you?"—No, but I told him my object.

2346. To knock his vote off?—He said he was ready to give any evidence that was required, if he was paid his expenses.

2347. He told you that?—Yes.

2348. You intended at first to prove your case without him?—After the passage that had taken place about the 20*l.*, I was extremely reluctant to call him, and should not have called him if the Chairman had not suggested it.

2349. You would have proved the case by your own evidence?—I should.

2350. Having said that, do you, as a respectable solicitor, consider that a proper way to disfranchise a man, going down to his house and worming the evidence out of him?—Unquestionably.

2351. You think that respectable?—I do; I have called on no person without telling my business, that my business was to inquire as to the validity of his vote.

2352. Did you tell your clerks that they were to give warning to people that you were going to upset their votes?—Certainly not.

2353. Although you were candid yourself, you did not tell your plants to do that?—I did not employ men to do that which I could do myself. You are obliged to employ some people to run about to public-houses.

2354. You think that dirty work?—It is not the work that solicitors generally perform. I am not above doing what solicitors generally do. I think, if you ask the solicitors on the other side, you will find their course has been much the same.

Mr. *Robert Peters*, re-called; Examined by Mr. *Coleridge.*

Mr. *R. Peters.*

2355. ARE you assistant overseer of the parish of St. Clement?—Yes.

2356. You know this place called the Tallyho, in Blackamoor's-head-yard?—I do.

2357. Who was rated for that; who used to be rated for that, was William Gaylor?—In the rate made November 14th, 1856, William Gaylor was originally rated for that house.

2358. What do you mean by originally rated for that house?—Because his mother, Sarah Gaylor, made an application to me——

2359. Was the name of the occupier altered?—An application was made ——

2360. Just state the fact?—An application was made to me to alter the name of the occupier.

2361. Was the name of the occupier altered?—Only in pencil.

2362. Has it been altered since?—In the January rate; the following rate, the 16th January 1857.

2363. Who is rated?—Sarah Gaylor.

2364. And is Sarah Gaylor put in pencil in the November rate?—Yes.

 2365. Was

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2365. Was that after an application that it should be done?—It was.

2366. Who made the application?—Sarah Gaylor herself.

Cross-examined by Mr. *Cooke.*

2367. Do you know that Mrs. Gaylor had the license in her own name in November?—I heard that Mrs. Gaylor obtained a license in her own name in consequence of an application.

2368. In November?—I cannot say it was in November.

2369. After this rate was made?—After the November rate was made.

2370. Is it not required of publicans who have a license that they should be rated for the public-house for which they are licensed?—It is requisite that they should be rated in order to obtain a license.

2371. Therefore the old lady, Mrs. Gaylor, came to yourself to request an alteration in the rate-book; after the 14th of November you put the name in pencil at her request, and she tendered the payment of the rate?—And claimed to be put on the rate-book; I think it was approximating near Christmas before she did that.

2372. William stands on the ratebook, but the old lady came and tendered payment, and claimed to have her name put on?—Sarah Gaylor did.

2373. That was on the 20th of November, the licensing day?—I do not know when the licensing day is.

2374. The 20th November we are told?—It might be; I cannot say.

2375. Was it after that day that she came?—I made no minute of the day.

2376. You have said it was near Christmas?—I made no minute of the day; I believe it was in the month of December.

2377. When was the last rate made in that parish?—The 23d of April, 1857.

Re-examined by Mr. *Coleridge.*

2378. They must not only be rated but occupy?—The certificate they require me to sign is, that they are to be the real resident occupiers.

[The Witness was directed to withdraw.

Mr. *Coleridge* summed up the Evidence.

Mr. *Slade* was heard in support of the vote.

The room was cleared.

The *Committee* deliberated.

Council and parties were called in.

The *Chairman* stated that the Committee were of opinion that this man had ceased to reside in Cambridge; the vote was therefore bad.

Mr. *Power* stated that the Petitioners were now in a majority of one, and, therefore, he supposed his friend would be called on to proceed.

[Adjourned until Eleven o'clock To-morrow morning.

Jovis, 2° die Julii, 1857.

RICKARD DEASY, Esq., in the Chair.

Mr. *Cooke* stated that the first case he proposed to take was that of Mr. *Robert Beart*, on the ground of non-residence.

Mr. *Robert Beart*, sworn.

Mr. *Power* objected to his learned friend, Mr. *Cooke*, going into this case, upon the ground that it was not a disqualification that arose since the 31st of July. Mr. *R. Beart.* 2 July 1857

Mr. *Cooke* was heard in answer to the objection.

Mr. *Power* replied.

The room was cleared.

The Committee deliberated.

Counsel and agents were called in.

The *Chairman* inquired if the Counsel for the Sitting Member were prepared to give evidence that this vote was objected to or retained on the register by the express decision of the Revising Barrister.

Mr. *Cooke* replied in the affirmative.

Mr. *Charles Henry Cooper*, sworn; Examined by Mr. *Cooke*.

2379. DO you produce the objections at the last revision court?—Yes; these are the lists of voters. Mr. *C. H. Cooper.*

2380. I want the lists of parties objected to?—I never had one; I gave them to the barrister; they are not returned to me; he generally tears them up, I fancy, but I do not know. The overseers are only to send to me the number of objections and the number of claims.

The *Chairman* stated the evidence given would not relieve the Committee from the difficulty they had, and that they wished to have an opportunity of considering their decision on this vote.

Mr. *Cooke* said that the next case he would proceed with would be that of William Banham, on the ground of non-residence.

Mr. *Daniel Banham*, sworn; Examined by Mr. *Cooke*.

2381. YOUR brother William had a house in the City Road at Cambridge in the year 1856?—Yes. Mr. *D. Banham.*

2382. When did he leave Cambridge?—The Tuesday after Christmas-day.

2383. Did he remove his furniture and family?—He removed everything; it was the Tuesday after Christmas.

2384. Left Cambridge with his family, and furniture, and everything?—Yes, everything.

2385. Where has he gone to live?—Newport, in Essex.

2386. Mr. *Coleridge.*] Have you seen him there?—I have never been to his house; I know it by his writing.

2387. Mr. *Cooke.*] You know yourself that he is residing in Newport, in Essex?—Yes.

2388. Is that 17 or 18 miles from Cambridge?—Yes.

2389. Do you know who is occupying the house in the City now?—I do not.

2390. It is occupied by some other person?—Yes.

2391. Is it occupied by Mr. Silk?—I think it is.

2392. Has your brother any other house in Cambridge, or within seven miles of it, except the house he has told you of at Newport?—Certainly not; no other, except at Newport.

2393. Has he been resident in Cambridge since Christmas?—Not been resident since Tuesday after Christmas.

Mr. *D. Eanham.*

2 July 1857.

Cross-examined by Mr. *Coleridge.*

2394. What was your brother?—A boot and shoemaker.

2395. What made him go away?—He left the town, thinking he had better prospects in the country.

2396. Did you see him before he went away?—I saw him a day or two before he went away.

2397. Have you seen him in Cambridge since?—Yes, two or three times.

2398. What does he come to Cambridge for?—On business; I suppose to purchase goods.

2399. Come to stay with you, or how?—Well, he has called there not to stay; he has had a bit of dinner with us, but not to make any stay.

2400. How often has he come to Cambridge since?—Five or six times; perhaps six times since he left.

2401. Did the house belong to him?—No; it was a hired house.

2402. Do you know when he gave it up to the landlord?—I do not know; I only know I heard him say he should have to pay rent to Lady-day.

2403. Did he leave any one in the house to keep it?—Not that I am aware of; I should say not.

2404. You do not know?—I should say I believe not; I have no reason to believe otherwise.

2405. You never went to the house to see?—No.

2406. Did his wife leave at the same time or afterwards?—At the same time with him.

2407. When did you last see him?—Do you mean previous to meeting him here? he is here.

2408. You have seen him out here?—Yes.

Re-examined by Mr. *Cooke.*

2409. If anything you have said is untrue, my friend can call him to contradict you?—Yes.

2410. He has been to Cambridge three or four times since?—I cannot speak to the times; it may be five or six; I cannot speak to that.

Mr. *Coleridge* stated that he should not contest this case.

The *Committee* decided that the vote was bad, and must be struck off the poll.

Mr. *Cooke* said the next case he would proceed with would be that of Mr. George Pryme, on the ground of non-residence.

Mr. *Robert Ellis*, sworn; Examined by Mr. *Cooke.*

Mr. *R. Ellis.*

2411. I believe you are a plumber and glazier, residing in Cambridge?—I am.

2412. What street do you occupy a house in?—No. 2, St. Andrew-street.

2413. The entry on the register is "George Pryme; place of abode, King's-parade; house and premises, Market-hill." You know Mr. George Pryme?—Yes.

2414. Did he at any time this year take lodgings at your house?—He did.

2415. When was that?—The end of February.

2416. This year?—Yes; he occupied them for six weeks.

2417. Was he alone, or was his family with him?—His family was with him.

2418. Mrs. Pryme?—Yes, Mrs. Pryme, the daughter, and grand-daughter.

2419. Do you know where Mr. Pryme's general residence is?—I do not know, except from hearing him say that his private residence is at Bristow.

2420. What distance is that from Cambridge?—About 16 miles; it is in the county of Huntingdon.

2421. King's-parade is in a different part of the town to where you live?—It is.

2422. And the place called Market-hill is different to yours?—Yes.

2423. After the six weeks the family and himself stayed there, did they go away

away and leave Cambridge?—Mrs. Pryme came to London, and Mr. Pryme went to his lodgings on King's Parade, and the servant went home to Bristow. Mr. *R. Ellis.* 2 July 1857.

2424. Had he lodged before with you at any time?—The same period of the year for the last three years.

Cross-examined by Mr. *Coleridge.*

2425. You say Mr. Pryme went to his lodgings; has he his own lodgings at King's Parade?—He has told me so.

2426. When he comes alone he goes to lodge at King's Parade?—Yes; I have his own word for it.

2427. He is Professor of Political Economy at Cambridge?—Yes.

2428. And he is obliged to be there every term?—To the best of my knowledge he is.

2429. And he has this lodging on King's Parade of his own?—Yes; he told me so.

2430. You say that he went away to his lodgings, and that his lodgings are in King's Parade?—Yes.

2431. You say he has been at your house three successive years at the same time of the year?—Exactly.

2432. Bringing Mrs. Pryme with him?—Yes.

2433. Were you ever at his lodgings in King's Parade?—No.

2434. You do not know what they consist of?—No.

2435. Do you know this place at Market-hill?—Yes; it is the market-place, lying between King's Parade and my residence.

2436. What has he got there; what is his property there?—In Market-hill?

2437. Yes?—I have no knowledge of any private property on Market-hill; I know Market-hill.

2438. You do not know his property there?—No.

2439. I do not mean his residence?—No; I do not know what his property is.

2440. He has been with you every term for three years past?—Yes.

2441. At this same time of the year for six weeks?—Yes.

2442. Was he there when he voted this year; did he vote from this house?—Not to my knowledge; I do not know that it was on at the same time.

2443. You say he came at the end of February, and was with you about six weeks?—Yes; he was with me the whole of March.

2444. When did he go away?—The beginning of April. He did not interfere with me during the election, nor I with him, therefore it made no impression on me.

Re-examined by Mr. *Cooke.*

2445. Part of the six or seven weeks he was with you was the whole of March?—Yes.

[The Witness was directed to withdraw.

Mr. *Foreman Biggs Smith,* sworn; Examined by Mr. *Cooke.*

2446. I BELIEVE you keep a lodging-house at King's Parade, Cambridge?—Yes. Mr. *F. B. Smith.*

2447. No. 19?—No. 20 now.

2448. Formerly 19?—And 20.

2449. Have you kept 19 for some time?—Yes.

2450. Did Professor George Pryme have any lodgings in your house?—He had apartments in my house, and has had for some years.

2451. What do they consist of?—A sitting-room and bed-room.

2452. How are they taken?—By the year; occupied not continuously, but paid for continuously.

2453. What is the payment?—Five pounds annually.

2454. He is with you a few days of the term now and then?—Formerly he was not with me so much as he is now. This last winter he has been with me 16 weeks.

2455. In his absence do you let the lodgings?—Certainly not.

2456. Do you use them yourself?—Occasionally.

2457. Yourself and family?—For myself and wife. We go in whenever we choose.

Mr. *F. B. Smith.*

2 July 1857.

2458. What are they worth to let during the term time?—I never did let them.

2459. But you know the value?—I should not expect to let them by the term, because they are a ground room and back room.

2460. Not more than 1*s.* 9*d.* a week?—I should not let them by the week for 1*s.* 9*d.* I should not let them so.

2461. Can you give the Committee an idea of the value to an under-graduate?—If I was to let them to an under-graduate I might make 5 *l.* a term by them.

2462. Did you ever get so little as that; do you not get from 10 *l.* to 12 *l.* a term?—I get ten guineas a term for my other rooms; they are better rooms.

2463. Does not your family always occupy these rooms when Mr. Pryme is not there?—We have got another room of our own. We do not always occupy these rooms, but I am situated thus, that if Mr. Pryme was to walk in, I must walk out at any time.

2464. Do you do so?—Yes.

2465. When he is not there?—Then I do as I like, but I could not let it to anybody else.

Mr. *Coleridge* stated that he should not cross-examine Mr. Smith.

The *Chairman* stated that the Committee were of opinion that Mr. Pryme had a sufficient residence, and that therefore the vote was good.

Mr. *Slade* stated that the next vote they proposed to strike off would be that of William Henry Nutt, on the ground that he had voted twice.

Mr. *Cooke* said the registered number for the parish of St. Andrew-the-Less was 760, William Henry Nutt, Brunswick-place. The other entry was 1573, parish of St. Michael, William Henry Nutt, Green-street. On the poll-book it was 760, William Henry Nutt, Brunswick-place, bookbinder, and he voted for Adair and Hibbert; 1573, William Henry Nutt, Green-street, bookbinder, and he voted for Mr. Adair and Mr. Hibbert.

Mr. *George Henry Bays*, sworn; Examined by Mr. *Slade.*

Mr. *G. H. Bays.*

2466. DO you know William Henry Nutt, the bookbinder?—Yes.

2467. Do you know him well?—Yes; my principal knowledge has come since the election, or on the day of the election rather; my attention was called to him in consequence of his voting twice.

2468. Were you a check clerk?—No; an inspector.

2469. Were you in the booth?—Yes.

2470. Were you an inspector of personification?—No; I personated nobody.

2471. Were you there to see that no person personated another?—Yes; that is a new name given to inspectors.

2472. There is an Act of Parliament by which you may now take them up, and hand them over to a constable?—Yes.

2473. In what booth were you?—In D, part of St. Andrew the Less.

2474. Were you there when William Henry Nutt came up and voted for Colonel Adair and Mr. Hibbert?—Yes, and I was surprised at it.

2475. What surprised you?—I knew he promised one of our party.

2476. He is a bookbinder?—Yes.

2477. Is there anybody else of the name of William Henry Nutt, bookbinder, in Cambridge?—Certainly not; he carries on the bookbinding in Green-street, and he lives in the house he voted for, in Brunswick-place, Newmarket-road.

2478. *Committee.*] Was that the qualification he voted for in booth D?—In booth D he voted for Brunswick-place, Newmarket-road.

2479. Mr. *Slade.*] Green-street is in St. Michael's?—Yes.

2480. *Committee.*] Where does he live?—In Brunswick-place, in the parish of St. Andrew the Less.

2481. Mr. *Slade.*] And carries on business at Green-street, which is in St. Michael's?—Yes.

2482. And he is registered for both?—He is on the registry for both.

Cross-examined

Cross-examined by Mr. *Coleridge.*

2483. Is he a married man?—I do not know what his family is; I know him.

2484. You do not know whether he is married?—No, I do not know; I never inquired.

2485. You say your principal knowledge has come since the election; had you any knowledge of him at all before the election?—No, only as a bookbinder.

2486. Did you know him at all?—Only going from one house to the other.

2487. You had seen him in the street?—Yes.

2488. You saw the man going along the street?—I knew him very well; we had several conversations about Mr. Nutt.

2489. He is a notorious man?—He has made himself notorious by voting twice; I knew him to be a respectable man; but I was surprised that he voted in the way he did.

2490. No respectable man did vote that way?—He might have done it through mistake.

2491. No respectable man would vote that way?—If he had been one of the Barnwell men I should have had him interrogated; but in consequence of his appearance I did not.

2492. No one but respectable men voted for Messrs. Adair and Hibbert?—No; I beg pardon; I said, would not vote twice; I am sure Mr. Adair does not think I fancy that.

2493. Did you know anything about him before the election?—Yes; I knew he was a bookbinder there only by sight; my house is beyond his on the Newmarket road, and very often in the middle of the day he goes home, at one o'clock, and I often meet him.

2494. You have seen a man in the street whose name you know is Nutt?—I have.

2495. Was there anything to draw your attention to Nutt before the election? No; if anybody had asked me, I should say that was Mr. Nutt going or coming from his shop.

2496. Did he ever bind any books for you?—No; he has not been in Cambridge long enough for that; he is a new comer; I have not heard of him more than twelve months.

2497. Then there was not any great opportunity to know him?—No; it was no business of mine.

2498. Did you ever go to either of his houses?—Into them?

2499. Yes?—No; I have been next door.

2500. You have never been into either of his houses?—Not into them; I have seen him coming out of them.

2501. How far are they apart?—Not half a mile quite.

2502. What is the population of Cambridge?—There are so many houses now empty in consequence of the building mania, that I should say the population might be 27,000.

2503. Then there is some population left behind, in spite of the empty houses? Yes, about 27,000.

2504. How long have you been in Cambridge?—All my life; I was born there.

2505. Do you remember his coming?—No; the first time I knew him was seeing the name of Nutt up.

2506. Over the door?—No, in the window; there is a large blind in the window.

2507. At what time of the day did he vote in your booth?—I do not think I can tell you exactly, unless I saw the cards that I returned; I should think about the middle of the day.

2508. Had you canvassed for Macaulay and Steuart?—A little; I am not exerting myself lately; I am not so young as I was.

2509. Had you been active at all for Macaulay and Steuart?—I was inclined to be so at all events.

2510. I dare say you were; had you canvassed Nutt?—No; he was not in my district.

2511. You had never seen him to speak to him about the election?—I might have seen him; I was quite satisfied without seeing him, and he might think it impertinent if I was to go to ask him what I knew myself.

Mr. *G. H. Bays.*

2 July 1857.

2512. You had no talk with him about the election?—None whatever; I was in a different district.

2513. How old is he?—I should think about 40; I cannot tell exactly about his age.

Re-examined by Mr. *Slade.*

2514. Are you quite sure that the man you saw poll his vote in booth D for Adair and Hibbert is a bookbinder, who lives in Brunswick-place, and who has got his place of business in Green-street?—Certainly; I have seen him go from one to the other.

2515. *Committee.*] You said he voted twice?—I did not say he voted twice; he is returned twice in the books.

[The Witness was directed to withdraw.

Mr. *William Todd*, sworn; Examined by Mr. *Slade.*

Mr. *W. Todd.*

2516. WERE you a check clerk in one of the election booths at the last election for the borough of Cambridge?—Yes.

2517. Was that in the parish for booth A.?—Yes, All Saints and St. Michael's.

2518. Do you remember a man polling by the name of William Henry Nutt?—Yes; I have him here, William Henry Nutt, Green-street, bookbinder; polled for Adair and Hibbert.

2519. Do you know him?—Yes; I never spoke to the man; he is the man I always understood to be Nutt.

2520. Have you seen him here?—No.

2521. Do you know any man in Cambridge of the name of William Henry Nutt?—Not with the exception of that man in Green-street.

2522. Do you know that he carries on business in Green-street, and lives in Brunswick-place?—Yes; I remember him distinctly saying he lived in Brunswick-place when he voted, and an hour afterwards the inspector called my attention to his having voted previously.

Cross-examined by Mr. *Coleridge.*

2523. What time of the day was it he voted in your booth?—I could not say; I should say somewhere about the middle of the day.

2524. You did not know the man at all?—Nothing further than being a Cambridge bookbinder.

2525. Had he been long in Cambridge?—I think not; not above two or three years.

2526. As much as that?—I should think so; I could not say positively.

2527. Do you know whether he is a married man?—No, I do not know.

2528. Had you ever talked with him before?—No.

2529. How long have you lived in Cambridge?—All my life.

2530. You do not know all the voters?—The great majority of them living in Cambridge, it being my place of business.

2531. Did you ask him where he lived?—No, the poll clerk did that.

2532. In your presence asked him?—Yes.

2533. And he said he lived in Brunswick-place?—Yes.

Re-examined by Mr. *Slade.*

2534. What aged man did he appear to be when he voted in your booth?—Thirty-one or thirty-two perhaps.

2535. Have you seen him since?—I do not know that I have.

2536. I believe that you immediately notified this fact to your party?—Not till they asked me.

2537. Do you not make returns?—By the check book.

2538. And that is sent in to the committee-room?—Yes, I delivered it to the committee-room myself.

[The Witness was directed to withdraw.

Mr.

Mr. *Frederick Barlow*, sworn; Examined by Mr. *Slade*.

Mr. *F. Barlow*.

2 July 1857.

2539. YOU are agent for Mr. Steuart?—I was.

2540. Were you in the course of the day of polling apprised of the fact that Nutt had voted twice?—Yes.

2541. And that was done by the returns coming into the committee-room from the different check clerks?—It was.

2542. Have you seen Nutt since?—Yes.

2543. And charged him with it; what did he say?—He said he was very sorry; he did it from ignorance; if he had been ten times on the register he should have voted ten times.

Cross-examined by Mr. *Coleridge*.

2544. Did you ask the voter these questions?—I did.

2545. For the purpose of striking his vote off?—Yes.

2546. And you instructed Mr. Slade to make those observations yesterday?—I gave no instructions at all about it.

2547. He told you this himself?—Yes.

The *Committee* decided that it was proved that William Nutt had voted twice, and one of such votes was struck off the poll.

Mr. *Slade* stated that his friend Mr. Coleridge would now have to proceed, as the Sitting Member was again in a majority.

Mr. *Coleridge* said the next case he should submit was the vote of Mr. Charles Bevill, upon the ground of non-residence.

Mr. *George Eden*, sworn; Examined by Mr. *Coleridge*.

Mr. *G. Eden*.

2548. DID you know Mr. Bevill, and do you know him still?—Yes.

2549. Was he a solicitor living and practising in Cambridge?—He was.

2550. He voted for Messrs. Macaulay and Steuart?—Yes.

2551. Did you on the 14th of May last, the other day, call on Mr. Bevill at No. 8, Gloster-place, Portman-square?—Yes.

2552. Did you tell Mr. Bevill what you came for?—Yes.

2553. Did you then have any conversation with Mr. Bevill as to the time and circumstances of his leaving Cambridge?—Yes.

2554. Just state what passed between you?—I began by saying I understood there had been a board on his house to let it before he left Cambridge.

2555. Mr. *Slade*.] You asked him the question?—Yes, I asked him if he had succeeded in disposing of it; he said he was sorry to say he had not; it was still on his hands. I asked him whether he and Mrs. Bevill and family had left that house. I should tell you I had all this information before I went; I know the case perfectly well. I asked him whether he left his house at Cambridge and went to his house at Gloster-place, Portman-square, on Monday the 23d of March; he said he did.

2556. Mr. *Coleridge*.] You say he, and his wife, and family?—He and Mrs. Bevill and family; that they removed, he should say, the bulk of the furniture.

2557. Mr. *Slade*.] Did you ask this question, or did he volunteer it?—I asked him if he removed the bulk of his furniture to his house in London; he said he did, with the exception of some few articles which he did not require, or which were not worth removing, which he directed Mr. Swan to sell.

2558. Mr. *Coleridge*.] Mr. Swan is an auctioneer?—Yes; I told him I understood that Mr. Swan made up a sale with these articles and other articles of his own, a put-up sale, and he said he believed that was so; he said he left a servant there for two or three days afterwards.

2559. In the house at Cambridge?—Yes, two or three days after he left it himself, who then left, and the house was locked up and the key given to Mr. Swan.

2560. *Committee*.] What date was that?—About two or three days after the 23d; Mr. and Mrs. Bevill removed on the 23d.

2561. Mr. *Coleridge*.] The 23d was a Monday?—I rather think it was the Thursday or Friday; a few days afterwards.

Mr. *G. Eden.*

2 July 1857.

2562. You say you asked him whether there had been a notice to let?—Yes.

2563. What did he say about that?—He said there had been a printed notice before he left, but he said he had not succeeded in letting it.

2564. *Committee.*] Was the house locked up, and the key given up before the election?—The house was locked up and the key given to Mr. Swan two or three days before.

2565. Mr. *Coleridge.*] I believe he told you that there were some horses there?—Yes, he said he had horses still in the stables.

2566. *Committee.*] At the time he was speaking to you?—Yes, at the time he was speaking to me, on the 14th of May.

2567. Mr. *Coleridge.*] What did he say about his intention to return, that he was or was not going to return?—I went on to say, I understood that when he came to vote——

2568. *Committee.*] You understood from him?—I told him, I understood from a friend of his in Cambridge (and I mentioned the name to him), who had given me the facts, that when he came to vote he slept at the house of Mr. Dennis Adams, and that he came down by the rail on Sunday.

2569. Mr. *Coleridge.*] He is a gentleman connected with the Conservatives?—Yes, he proposed Mr. Steuart; that he came down by the rail on Sunday, and slept at Mr. Dennis Adams's house on Sunday night.

2570. Did he say that was so?—Yes, and that after voting on the Monday——

2571. Mr. *Slade.*] Is this what you said?—No, it was in answer to questions of mine; I asked him whether after he voted he did not leave Cambridge immediately on his road to some races.

2572. Mr. *Coleridge.*] What did he say?—He said he did.

2573. Did he say anything to you about his intention to go back at any time of the interview?—I asked him whether, at the time he left this house and went to his house in London at Lady-day, he had any intention of returning to reside at Cambridge; he said he had not, he had left Cambridge entirely; I also asked him whether, on the night that he came down and slept at Mr. Dennis Adams', he had any servant or accommodation for sleeping at the house which he continued to occupy, and he said he had not.

2574. He has been here?—I saw him here once or twice, and shook hands with him in the lobby.

Cross-examined by Mr. *Slade.*

2575. How long ago?—About two days ago.

2576. Not this week?—Yes, this week.

2577. Are you sure?—Yes.

2578. When?—It was on Monday or Tuesday; it was not yesterday.

2579. Do not you think that his evidence would be much more satisfactory than your recollection of what passed?—It was my intention to have called him.

2580. Then why not do it?—It arises from the consultation of counsel, who prefer not calling the voters themselves; it is a matter with which I do not interfere.

2581. Did you make any note of this conversation?—Not at the time, certainly; I had it put in a draft brief.

2582. How long after the conversation had you it put in your draft brief?—Within a very few days.

2583. How long?—I should say within a week.

2584. It appears to me that you must pretty nearly have had the case on which you formed your questions, because there is nothing that you have omitted which is necessary to prove your case?—That was my object.

2585. You told him the same as you did the other man, "I have come to strike your vote off"?—I did not say that, but I said to him, "I come to ascertain the facts," but my object was to ascertain whether it was a good vote or a bad one; Mr. Bevill understood that I should strike it off if I could; he is not a very ardent politician; I do not think he cares much about it, one way or the other.

2586. Is that your opinion?—Yes.

2587. Do you not know that he had got beds in that house?—No, I do not.

2588. Did he not tell you, that if it had not been for Mr. Adams asking him to come and sleep at his house he intended to sleep at his own?—No.

2589. Nothing of the sort?—No.

2590. Are

Mr. *G. Eden.*
2 July 1857.

2590. Are the stables connected with the house?—I do not know, of my own knowledge, but from what I know of the neighbourhood I should say there is the house at front, with a garden running at the back, and the stables at the end of the garden.

2591. All one holding?—Yes.

2592. Were the horses left to take care of themselves?—That is a question which answers itself; I suppose there was a servant in the stables.

2593. Was there a servant left to take care of the horses?—No; when I said no I mean, that I did not ask the question.

2594. Are not the horses there at this time, to the best of your knowledge?—I do not know.

2595. Have you not ascertained that?—No.

2596. Are not the horses there now?—When I saw him on the 14th of May he said his horses were there then.

2597. Why the writ for the election was down on the 23d?—I should think it was.

2598. Was it perfectly well known at Cambridge that the writ had come down?—I do not think it was; they had three days' notice; however, the town clerk is here; there were three days' notice given, and the nomination took place on the Saturday, and the polling on the Monday.

2599. They must have got it on the 23d or 24th?—Yes, I am not prepared to say they had it not.

2600. All went down on the Saturday night; the writ had been at Cambridge at this very time?—At the same time it comes to your recollection I recollect the town clerk calling on me on the Sunday, and therefore it was down.

2601. On the 22d it came down?—Yes.

2602. Then your memory is not exactly so accurate as you would lead us to believe?—I cannot recollect everything directly.

2603. You would have tried to make us believe that the writ was down on the 23d?—I did not; I stated it was a matter of doubt; I was turning it over in my mind at the same time you were, and I recollect the town clerk came on the Sunday, which fixes the day.

2604. Did not Mr. Bevill tell you that if Adams had not pressed him he should have slept in his own house?—He did not.

2605. You venture to swear that?—Yes, I do swear it, and I have sworn it.

2606. Do you mean to represent that you do not know that there were beds in the house?—No; I understood from Mr. Waters that there were some beds but no bedsteads.

2607. Who is Mr. Waters?—He is a gentleman to be called here.

Re-examined by Mr. *Coleridge.*

2608. Did anything further pass about the horses than what you have told us?—No.

2609. He did not tell you what he was going to do with them?—No, he did not.

[The Witness was directed to withdraw.

Mr. *William Waters*, sworn; Examined by Mr. *Coleridge.*

Mr. *W. Waters.*
2 July 1857.

2610. DO you live in Maids Causeway, in Cambridge?—Yes.

2611. Is your house nearly opposite the house lately occupied by Mr. Bevill?—Yes.

2612. Did you see Mr. Bevill with Mr. Hibbert at the canvass previous to the election?—I did.

2613. Were you with them together?—I was.

2614. Do you recollect what Mr. Bevill said?—We called upon him on the Monday morning; Mr. Hibbert and me together; we went into the passage; this was the Monday before quarter-day, I think the 23d of March; the election was on the 30th; the substance of the conversation was this——

2615. Can you tell us anything he said?—He said they were moving.

2616. The family?—Yes, they were going to London.

2617. That day?—Yes, they were dressed ready in the passage, Mrs. Bevill and Miss Bevill.

Mr. *W. Waters.*

2 July 1857.

2618. Ready to start?—Yes; Mr. Hibbert said, "I am sorry for that; I should have been glad to have had your support at the election." He said, "You are of the wrong colour for me," or words to that effect; I cannot say positively, but he said I do not think I shall come down to vote at all; if I do I shall vote against you.

2619. Did he say where he was going?—He said he was going to London.

2620. Did he say what he was going for?—No.

2621. And did he not think he should come down to the election?—If he did he should vote against him; and Mr. Hibbert said, "I am very much obliged to you for your candour."

2622. Was any of the furniture sent away that day, do you know?—I saw some of it loaded up that day or the next; I cannot say positively.

2623. Did you see much of it?—I think it was a waggon load.

2624. Going away from the house?—It was on the road packed up, going away on the road from the house.

2625. Did you see Mr. Bevill start?—No, I did not.

2626. Was there any notice on the house before that time when you called to canvass him; anything stuck up on the house?—House to let, do you mean?

2627. Yes?—There was.

2628. It is there still, I believe?—I do not know; I think it was when I left.

2629. When did you leave, five, six, or seven days ago?—Yes.

2630. It was up when you left Cambridge?—I think there was the whole or part of it.

2631. Did you see the house before the election after you canvassed Mr. Bevell; did you pass the house?—I frequently passed it.

2632. Between the time you canvassed Mr. Bevill and the election did you pass the house?—Yes, no doubt; I pass it a dozen times a day.

2633. How was the house when you passed it; shut up?—Yes.

2634. Was there an auction there at any time?—Yes, I think the auction was about a fortnight afterwards.

2635. On the premises?—Yes.

2636. We have understood that other goods were sold besides Mr. Bevill's; at this auction was a quantity of furniture sold there?—I should not consider the house furnished then the same as it was when Mr. Bevill lived there.

2637. Some quantity was gone?—Yes.

2638. Was a quantity of furniture left of Mr. Bevill's which was sold?—I had no doubt of it; I could not speak to the fact.

Cross-examined by Mr. *Slade.*

2639. I suppose you voted the other way; you are of the other colour?—I did vote.

2640. And always have?—No, I have not.

2641. Have you been upon our side?—Yes.

2642. Did you vote for Mr. Slade?—No, I canvassed with Mr. Slade; we met at the same house, not for Mr. Slade; I voted for Mr. Macaulay once.

2643. Did you attend the auction?—I was there part of the time.

2644. Then you did attend the auction?—Yes.

2645. Did it last two days?—No, I think only one day; I was there only one day; I went to view it one day and then attended the auction the next day.

2646. Did you see any goods brought to the house?—No, I never saw any brought in.

2647. You say you did not consider it furnished the same as when Mr. Bevill lived there; were you ever there when Mr. Bevill lived there?—Yes, I have been there.

2648. As a visitor?—Not as a visitor, but I have called.

2649. What as?—In the way of business.

2650. What is your business?—I have called on him for subscriptions; I was an officer of the parish, and used to go round collecting things for charitable purposes, and they used to give something generally; I have been in both the bottom rooms.

2651. How often have you been there?—Some five or six times.

2652. During the last year?—No, not during the last year; during the last two years.

2653. Whereabouts

2653. Whereabouts was the auction held in the house; in the drawing-room or dining-room?—It was held in the garden when I was there, the back part of the house.

2654. In the garden part outside?—At the back of the house; we went through the house.

2655. How did they get the things down?—Men brought them down, I suppose.

2656. What was sold, the ordinary appendages of a house—chairs, tables, and so on?—Yes; I was not in till the latter part of the sale.

2657. You went to view it, so you know what there was?—Yes; but I do not know what was sold before I got there.

2658. You viewed it?—Yes.

2659. When you went to view, it was the ordinary furniture of a gentleman's residence, although not so well as when he lived there?—Yes, there was furniture in all the rooms.

2660. Take the dining-room; was there the chairs and tables of a dining-room?—I cannot speak positively to that.

2661. You can speak to that?—I have no motive but to tell you the truth; when I came there I saw what was sold.

2662. You went to view it; did you go over all the rooms?—Yes.

2663. In all the rooms was there the ordinary furniture and appendages of a room in a gentleman's house?—All the furniture.

2664. Was there the ordinary furniture you would expect to find in a gentleman's house?—I should not consider there was; I never saw a bed in the house.

2665. Nor a bedstead?—Yes, bedsteads and mattresses, and a new carpet in the room.

2666. No feather-bed?—No.

2667. You might go a mile and not find one; there were mattresses and bedsteads; you and Mr. Hibbert canvassed the gentleman?—Yes.

2668. And would be very glad to have his vote?—Certainly.

2669. *Committee.*] This auction was a fortnight after the 23d, or about that time?—I think about that time.

2670. After the election?—Yes; it was the 7th or 8th of April.

2671. Does the house belong to Mr. Bevill now?—I cannot say.

Re-examined by Mr. *Coleridge.*

2672. You say the mattresses were new?—The one I noticed was new.

2673. And a new bed-room carpet?—Yes; as if it was just laid down.

2674. Is Mr. Swan here?—Yes, I have seen him here.

2675. Was Mr. Swan, the auctioneer, at this auction?—Yes.

The witness was directed to withdraw.

Mr. *Slade* not calling witnesses, Mr. *Coleridge* summed up the evidence.

Mr. *Slade* was heard in support of the vote.

The room was cleared.

The Committee deliberated.

Counsel and agents were called in.

The *Chairman* stated that the Committee were of opinion that the vote of Mr. Bevill was bad.

Mr. *Coleridge* stated that he would go to the case of Bradbury last, which it was agreed should be struck off.

Mr. *Cooke* assented to the vote of Bradbury last, being struck off the poll. He objected to the vote of Benjamin Crouch, No. 1728.

Mr. *Coleridge* said he assented to Crouch's vote being struck off.

Mr. *Slade* submitted, as the parties were now even, the Committee would direct Mr. Coleridge to proceed.

Mr. *Coleridge* said, in his opinion, Mr. Slade ought to proceed.

The *Chairman* decided that Mr. Slade should proceed.

Mr. *W. Waters.*

2 July 1857.

Mr. *Slade* said the next case he would proceed with was that of Robert Moore, and he claimed to add him to the poll for Mr. Steuart, on the ground that, for some cause or other, the poll-clerk omitted to record his vote. It was 309 on the register, Robert Moore, Castle-street, poulterer, for Macaulay only.

Mr. *Robert Moore*, sworn; Examined by Mr. *Cooke*.

Mr. *R. Moore.*

2676. DO you carry on the business of a poulterer, in Cambridge?—Yes.

2677. You have lived in Cambridge very many years?—Yes.

2678. One of the oldest inhabitants?—Yes.

2679. Do you remember being asked for your vote at the last election?—Yes.

2680. For whom did you promise it?—Macaulay and Steuart.

2681. What time of the day did you go up to the poll?—Half-past eleven.

2682. Was William Cannon with you?—He went up with me in a fly, and was at the side of me when I voted.

2683. What did you say on going into the booth; what happened; were you asked your name?—Yes.

2684. What did you say when you got to the booth?—I did not say anything; only they asked me my name and place of abode.

2685. Did they ask you whom you voted for?—Yes.

2686. What did you say?—Macaulay and Steuart.

2687. Having polled, you left the booth with Mr. Cannon?—Yes.

2688. Have you a cousin, named Samuel Moore?—Yes.

2689. Did you see him on the day of the election?—I saw him after I dined; I dined at Cannon's house, and I met him about three o'clock in the afternoon.

2690. Did you mention to him which way you voted?—He said to me, "Who did you vote for, Bob?"

2691. What did you tell him?—I said, "Macaulay and Steuart."

2692. I believe you saw the poll-book when it was printed?—Yes; it came to my house, and I found my name was only down for Macaulay.

2693. You are Robert Moore, Castle-street?—Yes.

2694. Are you the only Robert Moore of Castle-street who carries on the business of a poulterer?—Yes.

Cross-examined by Mr. *Coleridge*.

2695. What was the name of the man you told about your vote to?—Macaulay and Steuart.

2696. Did you say it in that way?—Yes; I am rather bad in my tongue.

2697. Just say it once more?—Macaulay and Steuart.

2698. Who do you say you told that to?—To Cannon, who stood at the back of me.

2699. Samuel Moore, did you tell also?—He met me, and said, "Bob, which way did you vote?" I said "For Macaulay and Steuart."

2700. About what time of the day did you vote?—Between 11 and 12 o'clock.

2701. Were you pretty well?—Yes, middling; I was not quite so well as I am now.

2702. You say you voted about 11 o'clock; were there many people voting about that time, or was it slack?—Yes, a good many.

2703. Was there in the booth, in which you were, a good many people, or how; was your booth fuller than the rest, or the same?—Yes; I did not stop there.

2704. Did the clerk repeat your vote to you?—No; I do not know that he did.

2705. Do you know that he did not?—I do not know that he did.

2706. And did he sing out to you, who you voted for?—Yes, he said, "Who do you vote for?"

2707. After you had voted, did he read out to you the names that you had voted for?—He did not read them out to me. He said, "Who do you vote for," and I said, "For Macaulay and Steuart."

2708. And did he say, "Macaulay and Steuart" after you?—I do not know whether he did; he wrote it down; he went on writing directly.

2709. Did he say anything at the time he wrote?—No, I do not know that he did.

2710. Are

Mr. *R. Moore.*

2 July 1857.

2710. Are you sure he did not?—He might have spoken Macaulay and Steuart, but I do not know.

2711. You do not recollect?—I do not.

2712. Who went into the polling-booth with you?—Cannon.

2713. Anybody else?—No.

2714. Who was there besides?—I do not know.

2715. Was there anybody else that you knew at all?—Yes, a man of the name of Frost; he came out when I went in.

2716. Was there anybody in the booth when you went in?—No, only me and Cannon, who was with me.

2717. Then a number of people were outside?—Yes.

Re-examined by Mr. *Cooke.*

2718. What age are you?—I am in my 76th year.

2719. Have you always voted for the same party?—Yes, I have always been a Tory all my life; I have voted the same way for 40 years; I had a good blow-out then; we do not get it now.

2720. Those things are altered?—All gone.

2721. *Committee.*] Who were they that you promised to vote for?—I promised Macaulay and Steuart both.

2722. Did you promise the gentlemen themselves, or somebody for them?—I saw them myself.

2723. Mr. *Coleridge.*] Do you know Mr. Steuart by sight?—Yes, I think I do; I did not take much notice of him; he was at my house.

2724. Are you sure he was at your house?—I am sure he was.

2725. How do you know, if you do not know him?—He came to my house; Mr. Beale told me his name was Steuart.

2726. Mr. *Cooke.*] At all events, you promised your vote to the gentleman you understood was Mr. Steuart?—Yes.

[The Witness was directed to withdraw.

Mr. *William Cannon,* sworn; Examined by Mr. *Naylor.*

Mr. *W. Cannon.*

2727. WHAT are you—A bricklayer.

2728. Do you reside at Cambridge?—Yes, in John-street.

2729. Do you know old Mr. Moore, the poulterer?—Yes.

2730. Did you accompany him to the polling-booth on the day of voting for the candidates at Cambridge?—Yes.

2731. Did you go into the booth then?—Yes.

2732. Did you keep close to him?—Yes.

2733. Before you went into the booth did you speak to him, or he to you, about who he was going to vote for?—He said he should vote for Macaulay and Steuart.

2734. When he got into the booth, what was the first thing he said?—Macaulay?

2735. What was the first thing he said when he spoke to the clerks, or did they speak to him?—The clerks spoke to him first; they asked him who he voted for.

2736. Did they ask him his name?—Robert Moore, I believe?

2737. Did you hear them ask his name?—I do not recollect that.

2738. Did you hear them ask him who he voted for?—Yes, they asked him what his name was, and he said Robert Moore.

2739. Did you hear any one of the clerks in the booth ask the question, who do you vote for?—Yes, I believe they did.

2740. Did he say whom he voted for?—Yes, he said Macaulay, and then came out Steuart in a stammering way.

2741. Was that owing to the impediment he had been troubled with for some time?—Yes.

2742. Did you leave the booth then?—Yes.

2743. Did you hear the poll-clerk read out the name afterwards?—No, I did not.

Mr. *W. Cannon.*

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Cross-examined by Mr. *Coleridge.*

2744. He did not read out the name?—No.

2745. Had Macaulay and Steuart a check clerk there?—It may be, I do not know; they might have.

2746. Do you not know they had?—They might have.

2747. Don't you know they had?—I don't know anything at all about it.

2748. Don't you know Macaulay and Steuart had a check clerk in that booth?—I did not notice him.

2749. I ask you, Don't you know that Macaulay and Steuart had a check clerk there?—I know nothing at all about it.

2750. Do you mean that to be your answer, that you do not know whether Macaulay and Steuart had a check clerk there, at that booth?—Yes.

2751. That you do not know whether they had?—Yes.

2752. Had they an inspector there too?—An inspector of votes?

2753. Yes?—There was no inspector there that I know of.

2754. Was there not an inspector there?—I believe he was in another booth; I do not know that he was.

2755. Did you not see an inspector there?—I did not see him that I know of; I don't recollect nothing about it.

2756. You paid no particular attention to what passed?—No, I did not; not at all.

2757. Were you quite collected?—Yes.

2758. Had not been drinking at all?—No.

2759. Had you had your breakfast?—I had my breakfast at home.

2760. Did you breakfast quite in solitude?—No, I breakfasted at home with my wife.

2761. No friend?—No friend.

2762. Nothing had passed at breakfast to make you at all unlikely to recollect what took place?—No.

2763. It is very odd you don't recollect; are you quite sure the poll clerk asked him his name?—Not to my recollection, he did not.

2764. You have just said to Mr. Naylor, that you believed he did?—What, the poll clerk?

2765. Yes?—I beg pardon; I believe he did.

2766. Are you sure about that?—Yes, I am.

2767. What made you say you believed it; have you any doubt about it?—I have no doubt about it.

2768. That you do recollect?—Yes.

2769. Did he tell his name?—Yes; Mr. Robert Moore.

2770. Did he say where he lived?—Castle-street, I believe.

2771. Are you sure?—Yes.

2772. Quite sure?—Yes.

2773. That you paid attention to?—Yes.

2774. And then he was asked whom he voted for?—Yes; he said Macaulay and Steuart.

2775. Quite in that way?—He said Macaulay first, and then Steuart.

2776. So that anybody could hear him?—No; it was not likely that anybody could, because he had such an impediment in his speech.

2777. When the sound came out, was it very low?—Yes.

2778. Was it as he usually talked?—Yes.

2779. He cannot pronounce the name of Steuart?—Well, it came out in a stammering way.

2780. He cannot pronounce the name of Steuart well; has he said it often to you how he did it?—No.

2781. Have you explained how he did it?—I have explained to you, as well as I can, how he did it.

2782. Who was in the booth besides?—In the polling booth?

2783. Yes?—Nobody besides me and Moore.

2784. I suppose the poll clerk?—Yes

2785. Anybody else?—I did not notice anybody else.

2786. Was there anybody there?—I cannot say; I did not notice whether there was or not.

2787. Was there a man of the name of Fellhall?—I did not see him there.

2788. You

Mr. *W. Cannon.*

2 July 1857.

2788. You know him by sight, when you see him?—Yes.

2789. Did you see him there?—I did not see him as I know of.

2790. Did anything pass between you?—No.

2791. Who was it you first told that Mr. Moore had voted for Macaulay and Steuart?—I did not tell any one; I was asked the question a week or two afterwards; I cannot say how long. It might be a week, or it might be more or less.

2792. Was that after the poll came out?—That was after the poll-book came out.

2793. Who asked you?—A man of the name of Beales.

2794. Who is he?—A farmer in St. Peter's parish.

2795. Then you mentioned what you have told us to-day?—He asked me who Moore voted for, and I told him Macaulay and Steuart.

2796. What was it Mr. Beales said to you?—He asked me whom he voted for; who Moore voted for.

2797. Is that all that passed; did anything pass but that?—I said Macaulay and Steuart.

2798. Before that?—I did not see him before.

2799. He did come up to you in the street and ask whom Moore voted for?—He came up to me from the opposite side of the street purposely to ask me.

2800. And then he walked away?—Yes, he walked away.

2801. What made you go into the booth?—His wife wished me to go; he is very lame and very feeble.

2802. And you took him up?—Yes.

2803. Did you meet any one coming out?—I got a fly.

2804. When you were going in did you meet any one coming out?—I don't recollect.

2805. Was there any one coming out?—I cannot say.

2806. You do not recollect anything about it?—There might be somebody coming out.

2807. You did not pay attention to these things?—No.

Re-examined by Mr. *Cooke.*

2808. People go in at one end of the booth and come out at the other?—No; they come out the same way.

2809. You had the old gentleman under your care, he being lame, at the request of Mrs. Moore?—Yes.

2810. You were to attend to him?—Yes.

2811. This Mr. Beales is a neighbour of old Mr. Moore's?—Yes, lives in the same parish.

2812. Do you know what an inspector means; what is it?—I am sure I do not know what it is.

2813. Do you know what a check clerk is?—One that puts down the votes.

2814. You did not notice yourself who was acting; did you look to see who was acting; might they have been there without your noticing?—Yes.

2815. You did not trouble yourself by asking?—No.

[The Witness was directed to withdraw.

Mr. *Samuel Moore*, sworn; Examined by Mr. *Cooke.*

Mr. *S. Moore.*

2816. DO you remember, on the day of the Cambridge election, polling?—Yes.

2817. Did you speak to Mr. Robert Moore?—Yes.

2818. What relation is he?—First cousin.

2819. Did you ask him how he had voted?—

Mr. *Coleridge* objected to the question.

Mr. *Cooke* said he should not ask him any more, but merely submit him for cross-examination.

Mr. *Coleridge* stated that he should call evidence to prove that the voter never mentioned the name of Steuart.

[Adjourned till Eleven o'clock to-morrow.

Veneris, 3° die Julii 1857.

RICHARD DEASY, Esq., IN THE CHAIR.

The Names of the Members were called over; all Present.

Mr. *William Jarrold*, sworn; Examined by Mr. *Coleridge*.

Mr. *W. Jarrold.*

3 July 1857.

2820. WERE you poll clerk at the last election for Cambridge?—Yes.

2821. Do you remember a man of the name of Moore coming to give his vote?—Yes.

2822. Just look at No. 1,303; did you make that entry in the poll book?—Yes.

2823. Is that a correct entry?—Yes.

2824. Do you recollect who came in with Moore, when he came to vote?—Yes.

2825. What was the man's name; do you know his son-in-law?—Yes.

2826. What is his son-in-law's name?—Hall.

2827. Was that the man you saw with him?—Not when he voted.

2828. Did Hall come in with him?—He came in, but not beyond the bar.

2829. Who was with him when he voted?—No one.

2830. No one at all?—No.

2831. Did you see a man of the name of Cannon there?—No, I did not.

2832. Did he come up close in front of you, or where did he give his vote?—Close to the desk.

2833. After he gave his vote, did you read over what you had written to him, or what; did you read out what he had said to you, do you remember?—I asked him whom he voted for, and he gave me his candidate's name.

2834. Did you, or any one in your presence, say out to him the person he voted for?—Not that I am aware of.

2835. Did you read over anything to him before he gave his vote?—I asked him his name, his place of abode, his profession, and for whom he voted.

2836. Were there inspectors present?—Yes.

2837. And check clerks?—Yes.

2838. On both sides?—Yes.

2839. While the voter was there, was any objection made by the check clerks, or the inspectors, to the recording of the vote?—No.

2840. Were they close by you; where were the inspectors?—One on my right, and one on my left hand, above me.

2841. Where were the check clerks?—By my side; one on each side.

2842. You say the voter was in front of you; was he as near to the check clerks as he was to you?—Yes.

2843. You were sitting in a row; and he was just in front?—Yes.

2844. The inspector was just behind you?—Yes, one seat; just behind.

2845. At all events the check clerks could have heard anything you said?—Yes, and did.

2846. At the time he voted, you say he was alone in front of you?—Yes.

2847. Did you see whether a man of the name of Cannon was in any part of the booth?—No, I did not.

2848. At all events, if he was in any part of the booth, was Cannon by the side of him, and in front of you, when he voted?—No, he was not.

2849. Of that you are certain?—Yes.

2850. How far away from you was the bar?—Eight or nine feet; I am not certain as to the distance.

2851. Was any person inside the bar with the man?—No.

2852. Then, if any one was in the booth at all, it was outside the bar?—Yes.

2853. What

2853. What is the distance of the inspectors; would you say one foot, or two, or three, or four, or what?—Between two and three feet.

2854. You did say there were inspectors and check clerks present?—Yes.

2855. Can you tell me the name of the inspector and check clerk for Macaulay and Steuart?—Tunwell was check clerk, and French was inspector.

2856. *Committee.*] How far was the man from you when you asked him the question?—Close in front of me.

2857. As near as you are to me?—As near as I am to this table.

2858. Was there any hurry or confusion at the time?—No.

2859. Was the polling quick at that time?—Not just then.

Cross-examined by Mr. *Cooke.*

2860. What time of the day, did you tell us this man came up to vote?—I cannot state the time.

2861. Was there anything remarkable in giving his vote, beyond any other person, or did he appear to give it in the ordinary way?—No.

2862. What is the meaning of "No"?—He gave it in his usual way.

2863. Was there anything unusual going on in the booth at the time, to make you notice this old man more than any one else?—No.

2864. When was your attention first called to this; since the petition has been presented?—Yes.

2865. Did you know that the old man was lame; had you known him for some time; old Mr. Moore?—Yes,

2866. Did you know he was lame?—I did not.

2867. Did not what?—Did not know he was lame.

2868. You did not notice he was lame when he came into the booth?—No, I did not.

2869. Do you mean to swear that the man Cannon was not helping him into the booth?—Yes.

2870. You pledge your oath that that man was not there?—Yes.

2871. I mean inside the booth; who appointed you poll clerk?—The mayor.

2872. Is he a supporter of Hibbert and Adair?—I believe he is.

2873. Is your father a voter?—Yes.

2874. Does he support Hibbert and Adair?—Yes.

2875. What did you get for your day's work as poll clerk?—One guinea.

2876. What are you employed at?—My trade?

2877. Yes?—I am a slater.

2878. Whom do you work for?—For my father.

2879. Did you apply yourself to be made a poll clerk, or did your father for you?—Myself.

2880. What is your usual day's wages as a slater?—We are paid by the piece generally.

2881. What can you earn by a day's piecework?—Seven or eight shillings.

2882. Did you see Cannon in any part of the booth that day?—No.

2883. Am I to understand, as far as the time of day is concerned, when the old man voted, that you cannot fix your memory at all?—No.

2884. Whether in the morning, beginning, or end of the day?—No.

2885. Is old Mr. Moore a gentleman that you see often, or only occasionally, or don't you know much of him?—I do not see him very often.

2886. Did you ever speak to him in your life, except when you asked him what his name was?—When I have bought things of him.

2887. Poultry?—Yes.

2888. When was that, once now and then?—Once or twice in my life.

2889. Had he an impediment in his speech when you spoke to him on those occasions?—I did not perceive it.

2890. Did you know him to be a supporter of the opposite party to what you were?—No.

2891. You did not know sufficient of him for that?—No.

2892. He does not live at your end of the town?—No.

2893. Is it when you have had any dealings with him on those occasions that you have had any conversations with him, or have you simply said, "What is the price of this?"—That is all.

Mr. *W. Jarrold.*

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2894. So that you had no opportunity of knowing whether he had any impediment in his speech or not?—No.

2895. *Committee.*] Can you tell who voted immediately before?—No.

2896. Can you tell who voted immediately after?—No, I have no recollection.

Re-examined by Mr. *Coleridge.*

2897. You had had dealings once or twice with him, and know the man by person?—Yes, I know him by sight.

2898. And you remember perfectly well the fact of his giving his vote?—Yes, I do.

2899. *Committee.*] Was there any circumstance that particularly called your attention to it?—No.

2900. Do you recollect the circumstance of his voting, and whom he voted for?—Yes.

2901. He voted for one candidate?—Yes.

2902. Did not that strike you as remarkable, voting only for one when there were four candidates?—No.

2903. Was it of frequent occurrence?—Not of very frequent occurrence; we had it in our booth.

2904. Did it not cause you to remark anything?—No.

2905. How many other instances of single votes were there?—I am not prepared to say; I did not pay particular notice.

[The Witness was directed to withdraw.

Mr. *Joseph Mutton,* sworn; Examined by Mr. *Coleridge.*

Mr. *J. Mutton.*

2906. WERE you the check clerk for Adair and Hibbert?—Yes.

2907. At the booth where Robert Moore voted?—Yes.

2908. Do you recollect Robert Moore voting?—Yes, I do.

2909. Did he vote alone, or did any one come up with him to the place where he gave his vote?—Yes, there was his son-in-law came up with him.

2910. When he gave his vote?—Previous to giving his vote.

2911. I believe he left the booth?—He did.

2912. What is his son-in-law's name?—Hall.

2913. After he left the booth was there any one with the old man when he gave his vote; at the time he gave his vote?—I cannot say whether there was or not; I cannot recollect whether there was any one with him.

2914. Did you see any one with him yourself?—I cannot say at all.

2915. Where were you sitting with regard to the poll clerk; how close to him?—As close as I could sit.

2916. Next to him?—Yes.

2917. When the old man, Moore, came up what passed, what was said to him?—The poll clerk asked him his name and his profession, and then for whom he voted.

2918. For whom did he say he voted?—Macaulay.

2919. Macaulay alone?—Yes.

2920. Do you remember whether any names were read to him either before or after he voted by any one?—Yes, previously to his voting the candidates were read to him by the poll clerk.

2921. Previously to his voting the names were read to him, Adair, Hibbert, Macaulay and Steuart?—Yes.

2922. Was it then he was asked to vote, or how?—Yes.

2923. And he was asked for whom he voted, and he said Macaulay?—Yes.

2924. Are you quite certain he mentioned no other name?—Quite certain.

2925. Must you have heard him if he mentioned any other name?—I must have heard him.

2926. Were you close enough to see the entry?—Yes, I was.

2927. Were you there for the purpose of seeing that the entry was made right?—Yes.

2928. And an inspector on the other side for the same purpose?—Yes.

2929. You were there?—Yes.

2930. And

2930. And there was a check clerk there on the part of Macaulay and Steuart?—Yes.

2931. Your duty was to see that the entry was made right?—Yes.

2932. Where was the check clerk for Macaulay and Steuart sitting?—On the right-hand side of the poll clerk.

2933. How close?—As close as he could sit.

2934. Was any objection made by the poll clerk to the entry on the poll-book?—No.

2935. Is this your check-book (*handing a book to the Witness*)?—Yes.

2936. Did you make that entry yourself at the time?—Yes.

2937. Just look at that; is that correctly entered by you?—Yes.

2938. Did you see how the check clerk on the other side entered it?—I did not.

2939. There were two inspectors there, we understand?—Yes.

2940. Was any objection made by either of them to the entry?—None.

2941. Where were they?—Just behind.

Cross-examined by Mr. *Cooke.*

2942. They were the inspectors under the Act to detect personification?—Yes, I understood so.

2943. What time of the day did this old gentleman come up to vote?—Somewhere about the middle of the day.

2944. Your memory is so accurate; tell me at what period of the day, between eight and four, this happened?—I cannot say.

2945. Cannot you tell me between eight and four o'clock, whether it was before or after mid-day?—I cannot tell the time of day at all.

2946. What had happened; had anything particular happened before he came up?—I cannot say.

2947. Cannot you tell me who followed him?—His son-in-law came into the booth with him.

2948. Hall?—Yes.

2949. Was Cannon there?—I cannot say.

2950. Will you swear he was not?—No.

2951. Have you known Moore some time?—Yes.

2952. He and you have taken different sides at the election?—Yes.

2953. Did you know him to be lame that day, coming in with his stick?—Yes.

2954. Looking poorly?—Yes.

2955. Did not Cannon come in helping him?—I cannot say.

2956. What trade do you follow?—Plumber and glazier.

2957. Plumber and glazier put to be a check clerk?—Yes.

2958. Were you appointed by the mayor?—No.

2959. Who appointed you?—Eden and Cotterell.

2960. Did you apply to be appointed?—I did not.

2961. They put you on without any application?—Yes.

2962. Have you been paid?—Yes.

2963. How much?—A guinea.

2964. Without making any application?—Yes.

2965. Who did you get the money from?—From Mr. Foster.

2966. After the election?—Yes.

2967. Who did you get the order upon Mr. Foster to get the money from?—Campion brought it to me, a labouring man.

2968. You did not ask to be appointed; but a man of the name of Campion brought the order to you?—I could not attend the meeting that was held.

2969. Which was called to give orders?—Yes, I suppose so.

2970. Did you not receive notice to attend it?—Yes.

2971. Did Campion, at your request, get the order?—Yes, I asked him.

2972. You asked Campion to bring you the order, and he brought it?—Yes; I was going out of town.

2973. Do you mean to tell us that the four candidates' names were read to every voter by the poll clerk?—I cannot say that they were.

2974. Do you mean to say that he read them out to this old gentleman?—Yes.

2975. As an exception?—No, not as an exception.

 2976. When

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2976. When did he omit them, in the early or the latter part of the day?—In the early part of the day.

2977. And then when he got slack he read them out?—I do not think he was aware of it till he was told he ought to do it.

2978. Do you mean to tell us that he read out the four to the old gentleman?—Yes.

2979. And he gave one vote?—Yes.

2980. That was supposed to pass in the middle of the day?—Yes.

2981. Nothing remarkable?—Yes.

2982. Did the poll clerk read out the names of Macaulay and Steuart when he was required to vote?—Yes.

2983. Now, attend to me; you were sitting on his left hand?—I was.

2984. Therefore you would be writing with your right hand, and with your eye on his poll-book?—Yes.

2985. Was not the check clerk on the other side with his back to him?—Of course he would be.

2986. *Committee.*] You said the names of the four candidates were read out to this voter?—Yes.

2987. Was it before the poll clerk asked him his own name that he read out the names?—No; he asked him his name and profession, and then for whom he voted; he read the names over previously.

2988. Was it before he asked him his own name?—No, not before.

2989. After he heard his name and profession, he said the four candidates are so and so?—Yes.

2990. Had he mentioned the names of the four candidates to the voters who voted before that?—I cannot say.

2991. Did he mention the names of the four candidates to the person who followed him?—I believe he did; I cannot positively swear that he did.

2992. Have you any recollection one way or the other?—After that time I feel positive he did to every one.

2993. After the time this man voted?—Yes.

2994 What time did this man vote?—I cannot say the time.

Re-examined by Mr. *Coleridge.*

2995. He did read the names to a great number of voters?—Yes.

2996. That was the general practice of the day, in that booth at all events?—Yes.

2997. And whether he did to this or that particular voter you cannot undertake to say, but he generally did?—Yes.

2998. Are you quite certain that he did to this man, Moore?—Yes.

2999. You said he was told of it; that some one called his attention to it?—Yes.

3000. And advised him to do so?—Yes.

3001. Was that soon after the election began, or when?—Somewhere about the time that Moore polled.

3002. Are you quite certain now that he did read over the four names to Moore, before he voted?—Yes.

3003. You have no doubt about it?—I have not the least doubt.

3004. Have you acted as check clerk before, at other elections?—Yes.

3005. You have acted before for the same party?—Yes.

3006. You told my friend that the check clerk on the other side had his back close to the poll clerk at the time the entry was made?—Yes.

3007. Was he in the same position that you were?—Yes; he was on the right-hand side.

3008. And you were on the left?—Yes.

3009. Just explain; how do you mean with his back to him?—His left shoulder to him.

3010. You do not mean that there was a three-sided table?—No.

3011. Were they sitting in a row?—Yes.

3012. You say you cannot say that Cannon was not there?—No.

3013. Were there many people in the booth?—I cannot say at all about that.

3014. You were engaged checking the votes, I suppose?—Yes.

3015. That is what you were there for, in fact?—Yes.

3016. You

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3016. You say Hall had been there, and left the booth?—Yes.

3017. You are unable to say whether, if Cannon was there, he was inside the rails or outside?—I am not able to say at all.

Examined by the *Committee.*

3018. Is there any circumstance to cause you to recollect particularly that the names were read over to Moore, when you cannot speak to any other person, to the one immediately before or to the one immediately after?—Because he appeared to be infirm, and did not understand who the candidates were; the poll clerk thought so, and then he was instructed to read the candidates' names to him.

3019. By whom?—By the inspector; by one of the inspector's behind.

3020. Mr. *Coleridge.*] By what inspector?—I do not know; I heard from behind.

[The witness was directed to withdraw.

Mr. *Alfred Darby*, sworn; Examined by Mr. *Coleridge.*

Mr. *A. Darby.*

3021. WERE you an inspector in the booth where Robert Moore voted for Adair and Hibbert?—Yes.

3022. What were you to do there?—I was an inspector.

3023. Were you prepared to inspect to see that persons did not personate others?—Yes.

3024. Where were you in the booth?—I was posted precisely behind the poll clerk.

3025. Have you anything else to do; have you to look after the poll clerk and check clerk, besides looking at the voters?—I have to see that they recorded the vote as the voter gave it.

3026. You were there to see that the vote was recorded as the voter gave it?—Decidedly.

3027. You were so inspecting?—Yes.

3028. You say you were immediately behind the poll clerk?—Precisely behind him.

3029. Could you see him vote?—I was obliged to do so.

3030. That is what you were there for; could you?—Yes, most decidedly.

3031. Did you see him write the different votes?—Yes, the names.

3032. And their professions, and how they voted?—The names, and residences, and the votes.

3033. Was there an inspector on the part of Messrs. Macaulay and Steuart with you?—There was.

3034. Where was he?—On my right hand.

3035. You were standing or sitting close together?—Yes; standing as close as we possibly could.

3036. Do you remember a man of the name of Robert Moore coming to vote?—Yes.

3037. Can you tell us what time of the day it was that he came to vote?—I cannot tell, for I did not make any observation at that time; I have a perfect recollection of his coming to vote.

3038. Can you tell us whether it was the middle of the election; I do not expect you to give us to five or ten minutes, or a quarter of an hour; but was it midday, or evening, or morning?—As near as my judgment would lead me, I should probably say it might be between one and two o'clock; I do not know; I think about the mid part of the election.

3039. You had no reason for taking any particular notice?—No; I have never refreshed my memory by any data.

3040. At the time he voted, you had no reason to pay particular attention to him?—Not the slightest, any more than to any other voter of the borough.

3041. Did you see him come into the booth?—Yes.

3042. Who came in with him?—I believe his son-in-law, Mr. Pell Hall.

3043. You say that Mr. Pell Hall came with him into the booth?—He did.

3044. What became of Pell Hall after he came with him into the booth?—He left by instructions of my own to the policeman to turn him out.

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3045. What became of the old man, after Pell Hall had left the booth?—He remained standing in front of the poll clerks' desk.

3046. Did Pell Hall come with him inside the bar?—Yes, he came inside the bar; nearly up to the front of the poll clerks' desk.

3047. And then, from some instructions you gave the policeman, he left the booth?—I may observe, that it was from my knowledge of the parties ——

3048. For some reason, utterly immaterial, he left the booth in company with the policeman?—Yes.

3049. When he left the booth was the old man, Moore, in front of the booth, or any one with him?—To the best of my belief he was.

3050. What?—He was alone.

3051. Did you see a man of the name of Cannon there?—Not that I am aware of.

3052. Could you have seen him if he had been there?—Most undoubtedly.

3053. Was the old man close in front?—To the best of my knowledge, Moore was by himself when he gave his vote.

3054. Was any one, as far as you saw, inside the bar at all at that time?—Not that I am aware of.

3055. How far was the old man from him when he gave his vote?—The poll clerk is divided from me by a desk.

3056. Was he as far off as that gentleman who is writing?—Yes; I should say that might be it, as near as you could possibly measure it (*referring to the distance between the short-hand writer and the Witness*).

3057. When he came up to give his vote, just tell us what passed; what the poll clerk said, if he said anything?—He was asked, in the usual manner, for whom he voted; his name, his occupation, and his residence; after those particulars were taken, he was asked by the poll clerk for whom he voted, and he seemed to be in a confused state, and I desired the poll clerk, under the circumstances, to read the candidates' names to him, as he did in various cases throughout the day, where a person came up to vote. The names were read over to him distinctly and deliberately by the poll clerk; I have a recollection of that circumstance.

3058. You yourself instructed the poll clerk to do so?—I did so; and on his having read the names over, he was asked for whom he would vote, and he answered Macaulay.

3059. Did you see the poll clerk record the vote?—Yes.

3060. Did he record it correctly?—Yes.

3061. Did the inspector, who was by him, see him record it; could he have seen it?—Yes.

3062. Did he make any objection to the recording of it?—Not the slightest, nor any remark.

3063. Tunnell was the check clerk on the other side?—Yes.

3064. Did you see how he recorded it?—Yes.

3065. How did he record it?—To the best of my belief he recorded for Macaulay. Of course, there is a great deal for us to watch; my chief duty is to watch the poll clerks.

3066. You were there for the object?—Yes.

3067. Then he left the booth?—Yes.

Cross-examined by Mr. *Cooke.*

3068. Explain this for my guidance; this place where the clerks and yourself were, was a raised place, and the voter was in the place below, I presume?—Of course it was raised above the ground.

3069. Do not say of course; I want the fact?—Yes, it was.

3070. The usual course is, that the voter comes in in front, and the poll clerk is on a desk above him?—Yes.

3071. Does the voter's face come to the desk?—In order to avoid the necessity of the voter's being below the poll clerk, there was a stool erected, that he might be the proper height.

3072. Had the poll clerk a desk above the inspectors?—Yes.

3073. Was there not a desk where the poll clerk had his book?—Yes.

3074. Then a voter came in front of him?—Yes.

3075. Was

3075. Was there a bar to this raised step, or a barrier?—No; the bar is to the front entrance.

3076. Where this raised step was, was it open, or was there a barrier to that step?—No, not that I am aware of. I believe it was a plain step, to enable the voter to stand on.

3077. Will you swear there was not?—No, I will not.

3078. Do you pledge your oath that Cannon was not in that booth?—I cannot; I do not remember him.

3079. Will you swear he was not there?—I do not think I could undertake to swear it; to the best of my belief he was not.

3080. What is your occupation?—A solicitor's clerk.

3081. To whom?—To Mr. Frederick Randall.

3082. A voter?—Yes.

3083. Did you vote for Hibbert and Adair?—Yes.

3084. What did you get for your day's work?—Two guineas.

3085. Did you apply to anybody to be put on?—I applied to the agent.

3086. What agent?—Mr. Cotterill.

3087. At what part of the election did you apply to be put on?—I think it might have been some few years before the election.

3088. Did you know that the struggle of the contest was between Mr. Adair and Mr. Steuart?—I polled in the early part of the day.

3089. Did you know that the struggle of the day was between Steuart and Adair?—No.

3090. Do you mean to swear that?—I know no more of the affairs of the election——

3091. I did not ask you about the affairs of the election; do you mean to swear that you did not understand that the struggle of the contest was between Mr. Adair and Mr. Steuart?—When?

3092. On that day of polling?—At what point?

3093. At any point?—Certainly not; I had not the slightest idea of it.

3094. Were you the person, Alfred Darby, who had a committee-room at your house?—Yes.

3095. Are you the person Mr. Foster paid 5 *l.* 9 *s.* 6 *d.* to for a committee-room?—No.

3096. 3 *l.* 9 *s.* 6 *d.*?—That is about it.

3097. When was the committee-room engaged?—It was engaged some days previous to the election.

3098. A week?—It was hired before the election.

3099. By whom?—By Mr. Cotterill, an agent on behalf of the committee; there must be some one to hire it.

3100. Was that before you applied to be inspector?—That was afterwards.

3101. That was after you got your engagement as inspector?—Yes.

3102. You say you saw the old man was confused, and you desired the poll clerk to read the names out; was that done when you saw a man confused, or done regularly?—When a man did not seem to understand, I conceived it my duty.

3103. Did you conceive it to be your duty more than once in the day?—I was obliged, under the circumstances, to have the names read over to several individuals in the course of the day.

3104. How many?—Five or six.

3105. Was that early in the morning, as well as late?—I am unable to say.

3106. Can you tell me the name of any other voter whom you saw confused to whom you directed the clerk to read out the names?—No.

3107. Any of the five or six?—No, not that I recollect.

3108. Mr. Hall was turned out by your orders by the policeman?—Precisely; I called a policeman who had charge of the bar to remove Mr. Hall outside of the bar.

3109. You spoke audibly as inspector?—I called to the person at the bar, and directed him to be removed from the compartment.

3110. Did you do that audibly, so that other people could hear you do it?—I should judge so.

3111. *Committee.*] Did the poll clerk read the names of the candidates unless he was requested?—Most decidedly; I requested him to read so that the voter might understand him, and he read them distinctly and deliberately.

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3112. Unless he was requested, did he do so to other voters?—Yes.

Cross-examined by Mr. *Coleridge.*

3113. You were chief clerk on this occasion; had you been chief clerk before?—Yes, on many occasions.

3114. I made a mistake; you were an inspector?—I have never been inspector before, but I have been poll clerk and chief clerk for years.

3115. You had a committee-room at your house; was the same committee-room engaged at the last election?—It was.

3116. Were you at that time tenant of that house?—No.

3117. Where do you live?—I live at No. 4, Clarendon-street, nearly opposite to the house now in question, that was hired as a committee-room.

3118. Is that a convenient spot?—I should judge so from its contiguity to Parker's Piece.

3119. Long before you had the house it was hired as a committee-room?—Yes; and the reason why, if I may be allowed to explain, for I have nothing to conceal ——

The Committee thought that the witness had better not enter into any explanation, as no imputation had been cast upon him.

3120. You directed Mr. Hall to be removed for some reason?—Yes; as I would any other person who came in with a voter who I thought might have any influence on his vote; I considered that to be my duty towards any one on either the one side or the other.

3121. Let us have it quite clear as to the position of the voter, and where the poll clerk sits to take votes; there is a desk in front of him?—Yes.

3122. The voter came in front of the poll clerk to give his vote?—Yes.

3123. At the time he gave his vote, you say, in this room there was a stool put?—I believe in every compartment.

3124. There was one in this booth?—Yes.

3125. At the time the voter gave his vote to the poll clerk in this booth, was his face above the level of the desk?—It must be.

3126. It must be?—It was.

3127. Was Moore's face, when he gave his vote, above the level of the desk at which the poll clerk was writing?—Most decidedly.

3128. *Committee.*] Did you consider it wrong for this infirm man to have some one to assist him into the booth?—I did not consider him to be so infirm as not to be able to walk into the booth when he was able to walk about the street.

3129. Mr. *Coleridge.*] Did you turn Hall out for assisting him?—I should have been sorry to do so.

3130. Why did you do it?—Because I thought he might influence Moore's vote by some intelligent sign or whisper, and convey some direction to him how to vote.

3131. Did you know he was his son-in-law?—Certainly I did.

3132. *Committee.*] You said after his name and residence were taken, he was asked for whom he voted, and he seemed confused; did he say anything else?—He did not seem to understand the question.

3133. What symptoms of confusion did he exhibit?—I cannot call it confusion; but, looking at the old gentleman's appearance, he looked rather imbecile than otherwise, and did not understand the questions put to him.

3134 Did he say anything?—He did not make any answer as if he did not understand; from his appearance, I requested the poll clerk to read the names over to him deliberately and distinctly, so that he might then be in a position to understand the question.

3135. Did the poll clerk then ask him a second time for whom he voted?—He did.

3136. Are you certain?—That is my real and firm, candid opinion and belief; I have a most vivid recollection of it.

3137. Seeing the confusion Mr. Moore was in, you thought it would remove it by ordering his son-in-law away from him?—I did not do it with that intention; that is not at all likely; I would rather have done anything to avoid any confusion; I had no object in doing that but doing my duty consistently.

3138. Had

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3138. Had you known Moore at all?—Yes, I have known him ever since I was a child; for about 27 years I have known him.

3139. Did you know he always voted on one side?—Yes.

3140. Then why were you afraid of his being influenced?—It was not for me when he tendered his vote that way to say otherwise.

3141. You said you removed his son-in-law for fear of influence; did you not know which side Moore would vote on?—Yes, I was pretty well prepared to say how he would vote.

[The Witness was directed to withdraw.

Mr. *Coleridge* proceeded to sum up the evidence.

Mr. *Cooke* contended that the vote ought to be added to the poll of the Sitting Member.

Mr. *Robert Moore*, re-called, and sworn; Examined by the *Committee*.

Mr. *R. Moore.*

3142. YOU had a son-in-law of the name of Hall?—Yes.

3143. Did he go with you to the poll that day?—No; he and I are not friends; I never spoke to him all the election time once; he and I are unfriends; we are quite off being friends.

3144. Does he vote on the same side as you do?—Yes, I believe so; he is a Tory generally.

3145. He did not go with you to the poll that day?—No, I would not see him hardly; he married my daughter.

3146. When you went into the poll booth, did you mount up on any step before you gave your vote?—I do not think I did; I stood before a gentleman, as I am now before you.

3147. Were you standing on the flooring?—Yes; I was not standing on anything that I know of.

3148. Was the poll clerk higher than you?—Yes, above my head.

3149. Was there a step for voting people to stand up on?—No, not that I know of; I did not stand on a step.

3150. Do you recollect whether there was a step there for the voter to stand on before he gave his vote?—There might be, but I do not recollect it.

3151. Cannon went into the booth with you?—Yes.

3152. But did he go within the bar?—Yes, just behind me.

3153. You are certain upon that point?—He was behind me; whether he was inside the bar that went across, I do not know; he was close behind me; he was not far off the bar, because he was behind me.

3154. How close was Cannon to you when you voted?—Just behind me.

3155. Was he within the bar?—I think he was within the bar.

3156. Was any one ordered out who came in with you by the inspector?—No.

[The Witness was directed to withdraw.

Mr. *William Cannon*, re-called, and sworn; Examined by the *Committee*.

Mr. *W. Cannon.*

3157. WHEN you went in do you remember whether there was a step in the polling both for the voter to stand on before he gave his vote?—I do not recollect whether there was or not.

3158. Did Robert Moore get up on any step before he gave his vote?—I do not recollect.

3159. Did any one order you out of the pooling booth?—No.

3160. Were you in any booth?—No.

3161. What distance was Moore's head from the poll clerk's?—I am sure I cannot tell.

3162. Was the poll clerk above him?—I believe he was rather above him; I am sure I did not look at that.

3163. You do not recollect?—No.

3164-5. You are certain that the policeman did not interfere with you while the man was giving his vote?—Yes.

3166. Was there a bar between you and the voter?—The bar, I think, was at the entrance of the booth.

Mr. *W. Cannon.*

3 July 1857.

3167. Were you close to Moore when he voted?—I was as close as I am to this table.

3168. You are positive now that you heard him use the name of Steuart?—I am.

3169. Are you a voter yourself?—For the county.

3170. Not for the borough?—No.

[The Witness was directed to withdraw.

The room was cleared.

Counsel and agents were called, and informed that the Committee had ordered that the vote be added to the poll for the Sitting Member.

Mr. *Coleridge* said it would be most material, if not inconvenient to the Committee, if they would give their decision in Mr. Robert Beart's case.

The room was cleared.

The Committee deliberated.

Counsel and agents were called in.

The *Chairman* stated, that the Committee had come to the following Resolution: that they will not entertain an objection to a vote on the ground of non-residence, unless it be proved that the change of residence has taken place since the 31st of July 1856, or unless it be proved that the vote was specially retained or inserted in the register by the express decision of the revising barrister.

Mr. *Coleridge* stated that, according to the decision of the Committee, Mr. Robert Beart's vote would be retained.

Mr. *Cooke* said that, on the other side, the vote of Robert Peach Palmer would be retained.

Mr. *Coleridge* said that the next case he would proceed with was the case of Robert Youngman, which was a claim to add the vote to the poll.

Mr. *Cooke* stated that he was not prepared to go into that case, and asked for a postponement.

The *Committee* were of opinion that the postponement ought to be granted.

Mr. *Coleridge* stated that the next case he would proceed with on the part of the petitioner was that of Thomas Potter Amey, which came within the 10th and 11th classes of objection, on the ground that his vote was thrown away, because, after due notice, the vote was not given at the place at which it ought to have been given by the provisions of the Reform Act.

Mr. *John Eden*, sworn; Examined by Mr. *Power*.

Mr. *John Eden.*

3171. WAS a notice of that kind affixed to each of the polling-booths?—Yes, and posted all about the town.

3172. Under the words of the section?—Yes.

[*The following document was handed in, and is as follows:*]

Borough of Cambridge, to wit. I, PATRICK BEALES, Esq., Mayor of the Borough of Cambridge, do hereby give public notice, that if at the ensuing election of burgesses to serve in Parliament for the said borough, a poll shall be demanded, the same will be taken on Monday, the 30th day of March now instant (commencing at eight of the clock in the forenoon, and finally closing at four of the clock in the afternoon of the same day), at Parker's Piece there, in eight polling-booths erected together for that especial purpose, distinguished from each other by letters, and allotted to and for the several parishes within the said borough, as hereinafter stated, (that is to say)—

Booth A.—To and for the several parishes of All Saints and St. Michael.

Booth B.—To and for the parish of St. Andrew the Great.

Booth C.—To and for the parish of St. Andrew the Less (that is to say),—

Persons

Persons voting in respect of property in that parish.
Freemen whose places of abode, as described in the Register of Voters, are in that parish.

Whose surnames on the Register of Voters begin with any of the letters A to L (both inclusive).

Booth D.—To and for the parish of St. Andrew the Less (that is to say):

Persons voting in respect of property in that parish.
Freemen whose places of abode, as described in the Register of Voters, are in that parish.

Whose surname on the Register of Voters begin with any of the letters M to Y (both inclusive).

Booth E.—To and for the several parishes of St. Benedict, St. Botolph, and St. Mary the Less.

Booth F.—To and for the several parishes of St. Clement, St. Giles, and St. Petre.

Booth G.—To and for the several parishes of St. Edward and St. Mary the Great.

Booth H.—To and for the several parishes of the Holy Sepulchre and the Holy Trinity.

And I do also hereby give public notice that freemen residing out of the limits of the borough may vote at any of the said booths, but that no other person can be admitted to vote except at the booth so as aforesaid allotted to and for the parish wherein is situate the property in respect of which he claims to vote; or in case he does not claim to vote in respect of property, then wherein is his place of abode as described in the Register of Voters.

And lastly, I do hereby give public notice that I shall openly declare the final state of the poll, and make proclamation of the burgesses chosen at the Guildhall of and within the said borough immediately after the poll shall have been lawfully closed.

Dated the Twenty-third day of March, in the year of our Lord 1857.

Patrick Beales, Mayor.

3173. With reference to this particular vote of Thomas Potter Amey, I believe you objected before the returning officer to that being added up?—I did.

3174. Just look at the poll-book; do you find that the voter, Thomas Potter Amey, is a freeman?—Yes.

3175. Do you find that he votes at the wrong booth?—He did.

3176. Was that a booth other than as allotted to his place of abode as described in the register?—Yes.

3177. Is that the name on the poll?—This is the poll-book for Booth E.

3178. Turning to the name of this voter, Thomas Potter Amey, do you find he has voted in a different booth to that allotted to his place of abode?—This is Booth E, which was allotted to the parish of St. Botolph, St. Benedict, and St. Mary the Less. Thomas Potter Amey is on the register, No. 2; place of abode, 68, Fitzroy-street, Cambridge.

3179. Is that a place of abode which is not included within those parishes which are mentioned in that poll-book?—Yes; 68, Fitzroy-street, Cambridge, ought to have been in the parish of St. Andrew the Less, and the proper booth is Booth C.

3180. What booth ought Thomas Potter Amey to have voted at?—Booth C.

3181. And what booth did he vote at?—Booth E.

Cross-examined by Mr. *Cooke.*

3182. What is Mr. Amey?—He is a tailor.

3183. In Cambridge?—Yes.

Mr. *Power* proceeded to sum up the evidence.

Mr. *Cooke* was heard in support of the vote.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 4° die Julii 1857.

RICKARD DEASY, Esq., IN THE CHAIR.

Mr. *Cooke* resumed his argument in support of the vote of Thomas Potter Amey.

The room was cleared.

The *Committee* deliberated.

Counsel and agents were called in.

The *Chairman* stated that the Committee decided that the vote was a good one.

Mr. *Coleridge* stated that the next case he would proceed with on the part of the Petitioner was that of Mr. Robert Youngman, which he claimed to be added to the poll on the ground that he was improperly rejected by the revising barrister.

Mr. *Slade* objected to this case being gone into, on the ground that the name was not in any list of objections delivered six days before the striking of the Committee.

Mr. *Coleridge* was heard in answer to the objection.

Mr. *Slade* replied.

The room was cleared.

The *Committee* deliberated.

Counsel and agents were called in.

The *Chairman* stated that the Committee were of opinion that Mr. Coleridge should be allowed to proceed with the case of Mr. Youngman.

Mr. *Coleridge* then proceeded with his statement of the case.

Mr. *Robert Youngman*, sworn; Examined by Mr. *Coleridge*.

Mr. *R. Youngman.*

4 July 1857.

3184. ARE you a chemist and druggist at Cambridge?—Yes.

3185. Did you vote at the last election for Adair and Hibbert?—Yes.

3186. Here it is: "Robert Youngman tendered for Adair and Hibbert; entered as tendered by Mayor's warrant"; did you occupy a house in King-street?—

Mr. *Slade* objected to the question.

Mr. *Robert Peters*, sworn; Examined by Mr. *Coleridge*.

Mr. *R. Peters.*

3187. IS that the claim made by Mr. Robert Youngman?—It came to me as such.

3188. To Mr. *Youngman.*] Did you sign that, and send it in?—Yes; I signed it.

3189. Mr. *Slade.*] Let me look at it?—Yes. [*It was handed to the learned Counsel.*]

[*The following document was handed in, and is as follows:*]

NOTICE

Mr. *R. Peters.*

4 July 1857.

NOTICE OF CLAIM.

To the Overseers of Holy Sepulchre, in the Borough of Cambridge, in the County of Cambridge.

I HEREBY give you notice that I claim to have my name inserted in the list made by you of persons entitled to vote in the election of Members for the borough of Cambridge, in the county of Cambridge, and that the particulars of my qualification and place of abode are stated in the columns below.

Dated the Twenty-third day of August, One thousand eight hundred and fifty-six.

Christian Name and Surname of the Claimant at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in the Parish where the Property is situate, and Number of the House (if any).
Robert Youngman	King-street, in the borough of Cambridge, in the county of Cambridge	Shop	No. 7, Bridge-street, in the parish of Holy Sepulchre, in the borough of Cambridge, in the county of Cambridge.
		House	No. 16, King-street, in the parish of the Holy Trinity, in the said borough and county.

(signed) *Robert Youngman.*

3190. To Mr. *Peters.*] You are assistant overseer of the parish of Holy Sepulchre?—Yes.

3191. To Mr. *Youngman.*] Did you occupy a house, No. 16, in King-street?—

Mr. *Slade* objected to the question.

3192. To Mr. *Peters.*] Were you present when this claim was heard?—I was.

3193. Was it disallowed?

Mr. *Slade* objected to the question.

Mr. *Youngman* was directed to withdraw.

3194. Were you present in the revising court when the claim of Mr. Youngman was heard?—I was.

3195. Did the revising barrister hear that claim?—Yes.

3195*. And did he disallow it?—Yes.

Cross-examined by Mr. *Slade.*

3196. Was the man there himself to support the claim?—Yes.

3197. Was he sworn?—Yes.

3198. And examined?—Yes.

3199. Can you tell me the ground on which Mr. Power disallowed the claim?—I do not think I can recollect it.

3200. Do you really mean to swear that Mr. Youngman was there, and was examined before the revising barrister on his claim?—Yes.

3201. Are you quite certain of that?—Yes, I will give you a reason for it if you please.

3202. I am told it is the other way; what is the reason?—Whilst he was under his examination on that question, he claimed to be assessed in my rate-book; that makes me certain he was there.

3203. Cannot you tell us why Mr. Power disallowed him?—No, I do not think I could distinctly answer that question on oath; I have an idea of it.

3204. What do you mean by an idea?—An impression on my mind of the ground upon which it was disallowed.

3205. Perhaps you will tell us your impression?—Yes; that he was not rated in one rate made in the parish of Holy Trinity.

3206. Is that your parish?—No.

3207. Nor in his own parish?—And that he had not claimed to be rated in the parish of Holy Sepulchre.

3208. Were you the overseer that made the lists?—For the parish of Holy Sepulchre.

Mr. *R. Peters.*

4 July 1857.

3209. Did you put him on the list?—I did not.

3210. Tell the Committee why not?—He was not rated in the parish of Holy Sepulchre, therefore I could not put him in my list; had he been, I could not have put him on.

3211. Why not?—Because it would require him to be rated in the parish of Holy Sepulchre in all rates made before the 31st of July 1855; that is, so far as my information goes.

3212. Did you state that to the revising barrister?—I do not know that the question was asked me; it was a matter of course; I have my rate-book before me.

3213. Do you omit every body who has a continuous occupation, and leave him to make his claim?—Except the parish books, from which he removes, are in my hands; for instance, I have seven parishes; if he moves from one parish to another.

3214. To enable you to know whether he was rated in another parish?—Yes.

3215. Then we will suppose a man to occupy in the parish of Holy Trinity up to January 1856, and to occupy in the parish of Holy Sepulchre up to August 1856; surely you do not require him to be rated to all your rates, rated in the Holy Sepulchre; you join the two transactions?—I could not, because I should be unacquainted with the fact.

3216. If you had the books?—If I had the books I should do so, certainly.

3217. If you had the books?—I should certainly do it then.

3218. Supposing that you had the books of the Holy Trinity, should you have put this man on your list?—I should, had he been rated on all the rates made.

3219. Should you, as the facts were before you?—I should not; if he was omitted from one rate, I should not put him on.

3220. Now, I understood you to say that your impression is, that that was the reason why the revising barrister struck him off?—That is my impression.

3221. Go a little further than that; did not Mr. Power so decide?—I do not know that he decided it; I cannot swear to the fact that he decided it.

3222. Was it argued?—Yes.

3223. And a judgment given?—And a judgment given.

3224. Is there any other ground that you can give, save that of the want of rating, that Mr. Power relied on to strike his name off?—I know of no other ground.

3225. In other respects he was a good voter?—So far as my knowledge goes.

3226. Have you any doubt that the decision was want of rating?—I have not any.

Re-examined by Mr. *Coleridge.*

3227. He was a claimant, and Mr. Eden objected to him?—Yes.

3228. Was it proved that he was not in one of the Holy Sepulchre rates?—Yes, it was; that he was not in any, and absent from one in the Holy Trinity.

3229. And upon that the gentleman representing Macaulay and Steuart did not make the objection, but gave him up?—Yes.

3230. You say if you had had the books of the two parishes, and you found a person in the rates of both books, then you would have put him on?—I should.

3231. Otherwise not?—Supposing it was a consecutive rating, I should put him on.

3232. Otherwise you would not?—Certainly not.

3233. Do you mean in cases where persons coming into any one of your parishes from any other parish of which you have not the books, that you would leave them to assert their right by claim?—I do.

3234. If a person comes in the middle of a year into your parish, and you know nothing about him, you do not inquire, but you leave him to assert his claim?—Yes, I make no inquiry.

[The Witness was directed to withdraw.

Mr. *Robert Youngman,* re-called; Examined by Mr. *Coleridge.*

Mr. *R. Youngman.*

3235. DID you occupy a house, No. 16, King-street, in the parish of Holy Trinity?—I did.

3236. When

3236. When did you cease to occupy that house?—The 3d July 1856.

3237. Did you go forth from that house to any other?—No, I went forth from 16, King-street, to No. 7, Bridge-street.

3238. Is that in the parish of the Holy Sepulchre?—Yes.

3239. And you sent in this claim to vote in respect of those two houses?—I did.

3240. What was the value of the house in High-street first of all?—Ten pounds.

3241. What was the value of the house in Bridge-street to which you went?—Fifteen pounds.

3242. Are these receipts for the rates?—Those are.

3243. For the rates made in King-street?—Yes, for the house in King-street.

3244. This is the 28th December 1855, the 26th February 1856, and the 3d June 1856?—That is correct.

3245. Those are the rates made during your occupation of the house in King-street?—Yes.

3246. You say you left on the 3d July?—Yes.

Cross-examined by Mr. *Slade*.

3247. Were you, yourself, before the revising barrister?—I was.

3248. You went up yourself before the revising barrister?—Yes.

3249. Were you sworn?—I was.

3250. How came Mr. Power not to let you have your vote?—It was not allowed, I suppose.

3251. You know very well what it was, what was the ground of the objection, why did he not allow you to have your name on the list?—It was objected to on account of the rate not being paid.

3252. Had you not paid your rates then?—I had paid my rates up to June 1856.

3253. Was that the ground? Now, Youngman, you know perfectly well that it was not; you know perfectly well that the ground was, that you were not rated?—That I was not rated in Bridge-street.

3254. Was that the ground?—Yes.

3255. That was the ground of Mr. Power's decision?—It was.

3256. Was it a shop you went to in Bridge-street?—Yes.

3257. Kept by your mother?—No.

3258. Who was it kept by?—Kept by myself.

3259. Who was in the shop when you went to it?—It was not occupied.

3260. Did your mother go there with you?—No, she did not.

3261. You live with your mother, did you not?—I did so.

3262. And slept at her house?—Yes.

3263. Was the shop taken in your name?—It was taken in my name.

3264. And the only objection was, that you were not rated for that shop in that parish?—Yes, in that parish.

3265. That was the only objection?—Yes.

3266. Mr. Power would not allow your vote; at that time you were a Tory; do not be afraid of saying so?—I was a Tory then.

3267. When you claimed your vote before Mr. Power—(*the Witness rather hesitated*)—I do not know who he is most ashamed of, his new friends or his old friends; I should like to know how they caught you on the day of election; did they catch you and run you up to the poll pretty late in the day; did they say you cannot do us any harm if you cannot do us any good?—True.

3268. Then you were tendered; who took you, Eden on one side, and Cotterill on the other?—I tendered my vote because I was solicited.

3269. Who solicited it?—Mr. Eden and other parties.

3270. Was it Mr. Eden who said, "You cannot do us any harm if you cannot do us any good"?—Not so.

3271. Who was it; come, out with it; his name; let us see who the head lawyer of Cambridge is; it is like a conjurer drawing ribbons out of his boy's mouth getting a word out of you; who was it said it?—Not any one that I am aware of.

Mr. *R. Youngman.*

Re-examined by Mr. *Coleridge.*

4 July 1857.

3272. Did any one say it at all?—No.

3273. Except Mr. Slade?—No.

3274. Do you know who made out this claim for you; do you know the handwriting; was it not Mr. Barlow's clerk; was any communication made to you before; the claim was not in your writing?—Not any.

3275. This claim was sent to you, and you signed it?—The claim was sent to me and I signed it; that was the case.

Mr. *Coleridge* proposed to sum up the evidence.

Mr. *Slade* submitted that Mr. Coleridge ought to show that the man was rated.

Mr. *Henry Fuller*, sworn; Examined by Mr. *Coleridge.*

Mr. *H. Fuller.*

3276. YOU are assistant overseer of the parish of Holy Trinity?—Yes.

3277. Have you got the rate-books there?—Yes.

3278. Just look at the rate made on the 25th October 1855, and paid on the 28th December 1855; is Mr. Youngman rated in that?—Yes.

3279. Do you find that he paid it?—Yes; he has paid all that was due.

3280. Look at the rate of the 30th January 1856, paid on 25th February 1856?—That is paid.

3281. He is rated and paid?—Yes.

3282. Now look at the rate made on the 17th April 1856, and paid on 3d June?—Yes, that is paid.

Cross-examined by Mr. *Slade.*

3283. Have you any rate in your parish since the 17th April 1856, in the last day of July?—Yes; one made the 22d July.

3284. Is he rated to that rate?—No.

[The Witness was directed to withdraw.

Mr. *Robert Peters*, re-called; Examined by Mr. *Slade.*

Mr. *R. Peters.*

3285. WHAT was the date of your rate made in July?—July the 11th, 1856.

3286. *Committee.*] He came there on the 3d?—Yes.

3287. Did you understand he was objected to because he did not pay that rate in either of the two parishes?—He was not rated under the parish of Holy Sepulchre.

3288. And he was not rated in the other; that was the reason you did not take him?—I know nothing about the other parish, it not being in my jurisdiction.

3289. The rate of the 11th of July he was not rated to?—No, he was not rated to that.

Mr. *Coleridge* proceeded to sum up the evidence.

Mr. *Slade* addressed the Committee against the claim.

The room was cleared.

The *Committee* deliberated.

Counsel and agents were called in.

The *Chairman* stated that the Committee were of opinion that the claim ought not to be allowed.

Mr. *Coleridge* stated the next case he proposed to take on behalf of the Petitioner was the case of John Payne, in classes 5, 6, and 7, in which the vote was allowed by the revising barrister, and as to which they asked the Committee to re-consider the decision of the revising barrister, and disallow the claim.

Mr.

Mr. *Robert Peters*, re-called; Examined by Mr. *Coleridge*.

3290. ARE you assistant overseer, and do you collect the rates for the parish of St. Mary the Great, Cambridge?—I do.

3291. Have you got your rate-books there?—I have.

3292. Do you know this shop for which John Payne did vote?—I do.

3293. In whose name was that shop rated, from January 1853 to July 1856, or from July 1855 to July 1856?—In the rate made July the 12th, 1855, "William Payne."

3294. Does that name continue to July 1856, or is there any change?—The rate made October 18th, 1855, "William Payne" continued to be rated, with a pencil-mark note, that "John Payne" should have been.

3295. October is the first after July?—Yes; June 10th, 1856, is precisely similar.

3296. Mr. *Slade.*] William Payne and John Payne in pencil?—Yes.

3297. Mr. *Coleridge.*] Is that so up to July 1856?—Yes.

3298. Do you remember seeing a man of the name of Bell, an attorney, on the 5th of November 1855?—I recollect receiving some money of an attorney, on behalf of William Payne.

3299. When was that?—The 5th of November.

3300. Eighteen hundred and fifty-five?—Yes.

3301. Mr. *Slade.*] On behalf of whom?—On behalf of William Payne, deceased.

3302. Mr. *Coleridge.*] What did he pay it for?—

Mr. *Slade* objected to the question.

3303. Did Mr. Bell owe you any money?—Mr. Bell did not.

3304. What sum did he pay you?—He paid me 8*l.* 15*s.* for property-tax; and he paid me another item.

Mr. *Slade* objected to anything being given in evidence done or said by Mr. Bell.

3305. Mr. *Coleridge.*] There was a sum paid for income-tax; what else was paid?—A poor-rate, the same day.

3306. Mr. *Slade.*] What day?—November 5th.

3307. What year?—1855.

3308. Mr. *Coleridge.*] What poor-rate was paid in November 1855, by Mr. Bell?—The July poor-rate.

3309. Mr. *Slade.*] What was the date of the July rate?—You have had it before; July 12th, 1855.

3310. He paid William Payne's poor-rate of July 5th?—He paid, on November 5th, the rate made in July 1855.

3311. Did you see John Payne at any time?—I did.

3312. When did you first see John Payne?—I cannot say.

3313. I mean on the subject of this occupation?—That I cannot say.

3314. Did John Payne pay you a rate subsequent to the October rate?—He did.

3315. When was that payment made?—In December.

3316. Made to you personally, by him personally?—Yes; the 5th of December.

3317. Have you got Payne's claim?—That is a claim I drew out, to cure my error as regards the rating; the christian name being wrong.

3318. Was this signed by John Payne?—Yes.

3319. *Committee.*] What is the date?—Nineteenth of August 1856; there was a duplicate claim at the same time; I produced that to cure my own error in rating.

3320. Mr. *Coleridge.*] Was there another claim?—Yes; presented by the Conservative party; and they were both printed.

3321. The same in substance as that?—Yes; I did that to cure my own error, independently of all parties.

3322. There was a claim made as well?—Yes.

Mr. *R. Peters.*

4 July 1857.

Cross-examined by Mr. *Slade.*

3323. You considered that you had unintentionally omitted the name of John Payne from the list of voters?—Yes; I had put him on the list of voters; I had put his name down as William Payne, and it ought to have been inserted as John Payne.

3324. As overseer, you, thinking he was entitled to vote as a 10*l.* voter for the borough of Cambridge, drew out this claim to cure your error?—I did.

3325. I believe you took it to Mr. Payne, and got him to sign it?—Yes; there are only two cases in my seven parishes where a similar error occurred, and I got them both cured in the same way.

3326. I suppose this pencil mark on the October rate of 1855, that was the first rate in which his name ought to have appeared?—Certainly.

3327. Did you make the pencil mark?—I did.

3328. How came you to make that pencil mark; was that after you discovered this error?—I did not discover it until after the registration lists were printed; after the 31st of July 1856.

3329. You found that you had made the same mistake in your rate-book as you had made in your list of voters?—Yes.

3330. That you ought to have put the name of John Payne instead of William Payne?—Yes.

3331. He was the actual occupier of the premises?—Yes, when my list was made out.

3332. He was the occupier of the premises on the 31st of July, or when your list was made out?—Yes; he was on the 31st of July 1856.

3333. Your mistake lasted from 1855 up to 1856?—My mistake occurred in the first rate made after July 1855; but the list of voters could not occur till 1856. I made those notes on the discovery, merely to indicate what it ought to have been.

3334. That was to refer back?—Undoubtedly.

3335. You are aware that if a person liable to be rated *bonâ fide* pays all the rates for the relief of the poor, he is in the same position as if he had been rated?—If he pays all the rates; so far as regards me, his being rated and having paid the rates would be sufficient after putting him on the list; but as regards the tenancy, I have nothing at all to do with that.

3336. Was he a person liable to be rated to the October rate of 1855?—In my judgment he was.

3337. He was the occupier?—I know of no other person; I considered him as the successor to his brother.

3338. He was the occupier, and liable to be rated?—On the October rate, I believe.

3339. Was he the occupier, and liable to be rated in all the subsequent rates up to 31st July 1856?—I have no doubt of it.

3340. Was he called on and did he pay all those rates when called on to pay them?—Yes.

3341. Did you attend before the revising barrister?—I did.

3342. You took some interest in this claim, inasmuch as you got him to sign it?—I did; I applied to the court to cure my error; the opposing party objected that it should be settled on that ground, as there were other objections as well as my error to cure. However, my error was cured, and the case was argued, one of the objectors being present.

3343. You explained that to Mr. Power?—Yes; I did.

3344. The same as you have done now?—Yes.

3345. Who appeared to object to the man's claim to have his name inserted on the list?—Mr. Eden.

3346. The gentleman who sits here?—Yes.

3347. *Committee.*] He made the other objections?—Yes.

3348. Mr. *Slade.*] Can you tell us what the objections were?—I don't think I can specify them; I think it turned on the subject of the tenancy, whether he was the immediate successor of his brother.

3349. Did Mr. Eden call any witness?—I think not.

3350. Did he produce any deed or will?—Not to my knowledge.

3351. Was it retained?—It was.

Re-examined

Re-examined by Mr. *Coleridge*.

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3352. Let me understand; you did not make the alteration in the rating till you came before Mr. Power?—No, I did not; it was a matter of surprise to me when I discovered the error in my rate-book, that I had continued the name of William in my rate-book.

3353. Did he call on you, or did you call on him?—Yes; I must have called on him in September before that; I had seen him several times before that in his stall in the market-place.

3354. When he paid the November rate, did you call on him?—Yes; I called on him; Mr. Payne may have been at my house, but I cannot say; he did not come to my house to pay me that rate. I called on him at the shop, or in the stall.

3355. Was that the first time you were aware of any change of occupation?—No.

3356. When did you first become aware of that change?—I cannot specify that; I knew the young man very well, and knew him as conducting the business, and we had several conversations on the subject of his holding being assessed. Unfortunately I made no minute in my check-books. This was the first application I made; I took the matter for granted, thinking him the immediate successor of his brother.

3357. When was it that Mr. Bell paid you?—The 5th of November 1855.

3358. That was the July rate?—Yes; I had no claim on John Payne for that.

3359. Was the July rate brought forward with the October rate?—Yes; it stood over on account of his brother's illness and death.

3360. Then the October rate was made against what appeared to be William Payne's, and consisted partly of the October rate and of the July rate?—The arrear was brought forward into the rate.

3361. You say there was no will or anything produced before Mr. Power?—I never saw it; I don't recollect any one.

3362. Was there any witness except yourself and the voter?—I think not.

3363. *Committee.*] Why did you not put him on the rate-book?—I had put him on the rate-book as William.

3364. Mr. *Slade.*] Was not that one of the objections that he was rated as William Payne, he being John?—He was objected to; but my claim was put in in order to cure my defect of rating.

3365. Was not that one of the objections that he was rated as William?—The case was not argued when I explained it.

3366. Was it not one of the objections?—I have no doubt it would have been if I had not put in my claim to cure it.

3367. Was not that one of the objections taken, but, on your explanation, given up?—Yes, that might be.

3368. You remember the fact that it was so?—No.

3369. Have you any doubt about it?—I have. I think the principal ground of objection turned on the tenancy, not on the rating.

3370. What makes you think that was so?—Why, I think the party would have taken advantage on that ground, supposing I had not made the claim to cure my own error.

3371. *Committee.*] You intended William for John in the rate-book of 1855?—I intended William for John.

[The Witness was directed to withdraw.

Mr. *John Fuller* sworn; Examined by Mr. *Coleridge*.

Mr. *J. Fuller*.

3372. WERE you, and a gentleman of the name of Lenton, the executors of Mr. Aaron Payne?—Yes.

3373. Was William Payne, the deceased, a tenant of a shop under you and Lenton?—Yes.

3374. Did he pay you the rent?—Yes.

3375. What was the tenancy; was it in writing, or from year to year?—There was no agreement; he had a tenancy from year to year.

3376. And he paid how much?—Thirty-five pounds a year rental.

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3377. *Committee.*] No agreement?—No agreement; Mr. Aaron Payne was his uncle, and he took the business after his widow.

3378. Mr. *Coleridge.*] And you and Lenton were Mr. Payne's executors?—Yes.

3379. And he took the property under you?—Yes.

3380. What was the time of the tenancy, Midsummer or Michaelmas?—The widow of Aaron Payne took the business at his decease. He died on the 25th of March 1851, and she carried it on to 1853, and she gave it up on the 1st of November; there was no agreement, except that he should pay a certain rental.

3381. When did he pay the rent?—I do not know; Mr. Lenton used to take the rent from him.

3382. He went on as tenant from year to year?—Yes.

3383. William Payne got ill in the year 1855?—He died on the 25th of July 1855.

3384. The voter, John Payne, his brother, had he been to sea, and did he come home, and manage his business for him?——

3385. Mr. *Slade.*] Do you live at Cambridge?—Yes.

3386. Mr. *Coleridge.*] Do you recollect whether John Payne came home to live with his brother shortly before his death?—Yes.

3387. Was he living with him at the time of his death?—Yes, conducting the business.

3388. You recollect the death of William Payne?—Yes, very well.

3389. Was his father's name John?—I do not know what his father's christian name was.

3390. He had a father living?—His father is alive now.

3391. You say William Payne died in July 1855?—Yes, on the 25th of July.

3392. Was an arrangement come to between you and his father, and the present voter, John Payne, some time after William Payne's death?—It was arranged that John Payne should have the business at the decease of his brother.

3393. And should go on in the shop?—Yes, continue the occupancy of the premises.

3394. How soon after William Payne's death did that arrangement take place between you and the voter, John Payne, and the father?—There was no written arrangement made between Lenton and myself, and John Payne's father; but it was arranged some six or eight weeks after the death of William Payne that his brother should have the business at a reduced rental.

3395. You mean the shop?—Yes, to carry on the business.

3396. At a reduced rental?—Yes.

3397. And that arrangement was made six or eight weeks after the death of William Payne?—I think so.

Cross-examined by Mr. *Slade.*

3398. Then this was at a family arrangement?—I do not belong to the family.

3399. Then it was not a family arrangement; which was it?—I do not know, which you please to call it; I am not a member of their family.

3400. You are the executor of Aaron Payne?—Yes.

3401. Of what politics are you?—I profess to be a Liberal.

3402. Are you really?—I voted for Mr. Adair, a plumper.

3403. And Mr. Lenton?—Mr. Lenton does not vote.

3404. Is that any reason why he should not have political opinions?—I never talked to him on his political opinions.

3405. Was this a family arrangement?—It was an arrangement made between ourselves for the benefit of the young man.

3406. For his benefit?—Yes.

3407. And you reduced the rent from 35*l.* to what?—Thirty pounds.

3408. You gave him the benefit of the 5*l.* odd?—Yes.

3409. Does that abatement in the rent date back to the 24th of June 1855?—That I cannot say; Mr. Lenton consulted me about reducing the rent, which I agreed to, but at what time he commenced paying 30*l.*, I cannot say, because Mr. Lenton receives all the money; it all passes through his hands.

3410. Can you tell us whether you or your brother executor recognized him as your

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your tenant from Midsummer day 1855?—He paid us the rent from Midsummer 1855.

3411. *Committee.*] What rent?—I do not know exactly what rent it was, but I think it was an abatement.

Re-examined by Mr. *Coleridge.*

3412. Was William Payne tenant up to the time of his death?—Yes.

3413. He would have been the tenant if he had lived?—Yes.

3414. Was anything paid by John Payne, the voter, in the case of that arrangement for the business that he took?—I think not; I think the business was left to the father by the son.

3415. Did he pay anything for the goodwill of the business?—I cannot say; that was arranged between the father and the son.

3416. You were not cognizant of that at the time?—No.

3417. You were not aware of any such arrangement?—I do not remember any.

3418. Was the arrangement made between you and the father and John Payne?—What arrangement?

3419. The arrangement that John Payne should take to the house as the tenant, was that made between you and him and his father?—We agreed to accept John Payne as the tenant, I and Mr. Lenton.

3420. Was John Payne, the father, present; did he take part in that arrangement?—He was there; he occasionally came to Cambridge to see about the business for his son.

3421. Mr. *Slade.*] He was present, of course?—Yes; his father spoke to Mr. Lenton and myself respecting the young man.

3422. *Committee.*] Was the rent paid quarterly or half-yearly?—Mr. Lenton was a customer of this young man, John Payne, and he used to pay him the rent off his account.

3423. Mr. *Slade.*] At any rate you gave him a discharge for the rent?—Yes; it was something like 45 *l.* the first quarter. If he wanted any little assistance, we used to give it to him.

[The witness was directed to withdraw.

Mr. *George Samuel Hall,* sworn; Examined by Mr. *Coleridge.*

Mr. *G. S. Hall.*

3424. HAVE you there the probate of the will of William Payne, dated the 10th January 1855?—I have.

3425. Proved in the Archdeaconry Court of Ely?—It is by the executor of John Payne, of Thurlow, in the county of Suffolk (*the same was handed in*).

3426. Do you know Mr. Bell?—Yes; he is my brother-in-law.

3427. Is he ill now?—Very unwell.

3428. So unwell that he cannot come here?—He is in a very pitiable state; his mind is very much affected.

3429. He cannot attend to business?—He cannot.

3430. Have you got his cash-book there?—I have.

3431. Just produce it?—When I say his cash-book, he keeps his accounts on Rain's system, and it is a ledger; I can produce the cash journal.

Mr. *Slade* objected to any entry out of Mr. Bell's books.

3432. Mr. *Coleridge.*] Was Mr. Bell solicitor to John Payne, who made that will?—Yes.

3433. Do not read it; but turn to an entry, 18th February 1856, in the ledger of Mr. Bell?——

Mr. *Slade* again objected to any entry, upon the ground that both John Payne and Mr. Bell were alive.

3434. Mr. *Coleridge.*] Have you got that entry of the 18th February 1856; it is an entry of the payment of money by John Payne, the voter?—I find an entry of several payments by John Payne.

3435. Mr. *Slade.*] Let me look at the entry?—Yes (*it was handed in to the learned Counsel*).

Mr. G. S. Hall.

Mr. *Slade* further objected to the admission of the entry.

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3436. Do you know that this is a bill in Mr. Bell's handwriting?—I can speak to that.

Mr. *Slade* again objected to the entry being admitted in evidence.

Mr. *Coleridge* submitted that the entry was admissible, on the ground that Mr. Bell was insane.

Mr. *Slade* replied.

The *Chairman* stated that the Committee were of opinion that they could not receive the entry.

Mr. *Coleridge* stated that he would put in the formal proof of the death of William Payne, on the 25th July 1855, "Cause of death, small-pox."

Mr. *Coleridge* then proceeded to sum up the evidence.

Mr. *Slade* was heard in support of the vote.

The room was cleared.

The Committee deliberated.

Counsel and agents were called in.

The *Chairman* stated that the Committee were of opinion that the vote was a good vote.

Mr. *Power* stated, that after the last decision of the Committee, the Counsel appearing for the Petitioners had consulted, and thought, under the circumstances of the case, they were not justified in putting the Sitting Member to any further expense in this inquiry, and he would therefore withdraw from any further proceedings.

The *Chairman* then stated, that the Committee had come to the following Resolution: "That Andrew Steuart is duly elected a Burgess to serve in this present Parliament for the Borough of Cambridge."

I N D E X.

N. B.—In this Index the Figures following the Names of the Witnesses refer to the Numbers of [the Questions; those following *Ev. p.* to the paging of the Evidence; and the Numerals following *Rep. p.* to the paging of the Report.]

A.

ACCOUNTS. Witness produces all the several papers and bills which came into his hands in his capacity as auditor, *Foster* 11, 12.

See also *Expenses.*

Agents. Witness produces the appointment of Mr. Frederick Barlow as election agent on behalf of Mr. Steuart, *Foster* 12–15.

Witness was appointed by Mr. Steuart his agent for expenses, *Barlow* 24–26——Began to act as agent about a fortnight before the election, *ib.* 67——Part taken by witness in former elections at Cambridge adverted to in connexion with his ignorance of the nominal state of the register, *ib.* 118–120. 196–199. 240–244——Local public appointments held by witness, *ib.* 191–195.

Witness produces the written appointment of Mr. Eden, Mr. Hibbert's agent, *Foster* 294——Also the appointment of Mr. Cockerel, Colonel Adair's agent, *ib.* 295, 296.

Witness is an attorney at Cambridge; is clerk to the borough magistrates, *Eaden* 335, 336——Was agent at the late election for the election expenses of Mr. Hibbert; had acted as agent in 1852 and 1854, *ib.* 337, 338——Opportunities of witness and Mr. Cockerel for understanding the state of the registration, and the political opinions of the voters, *ib.* 378–390.

Witness is a solicitor at Cambridge; is Clerk of the Peace for the borough, *Cockerel* 467, 468——Was legal agent for Colonel Adair at the elections of 1854 and 1857, and has also been concerned in former elections for the borough, *ib.* 469, 470.

See also *Expenses. Messengers. Petition. Travelling Expenses of Voters.*

Resolution of the Committee, that the money received by John Halsey, Richard Stamford and George Mills, on account of having voted, was so received without the knowledge and consent of the Sitting Member or his agent, *Rep. p.* iii.

Amey, Thomas Potter. Thomas Potter Amey, tailor, voted for Macaulay and Steuart at the wrong booth, that is, at booth E, instead of booth C, *Eaden*, 3173–3183.

The Committee decide that the vote of Amey was a good vote, *Ev. p.* 114.

Auditor Witness was auditor at the election, *Foster*, 10.

B.

Banham, Daniel. (Analysis of his Evidence.)—Witness's brother, William Banham, left Cambridge on the Tuesday after Christmas-day, and removed with his family and furniture to Newport, in Essex, where he has since been living; he has been to Cambridge occasionally on business, but has no house there, 2381–2410.

Banham, William. The Committee have altered the poll, by striking off the name of William Banham, as not having had a right to vote, *Rep. p.* iii.

See also *Non-residence*, II. 1.

Barlow, Frederick. (Analysis of his Evidence.)—Was appointed by Mr. Steuart his agent for expenses at the late election, 24–26——Had most express directions from Mr. Steuart and Mr. Macaulay that nothing but strictly legal expenses should be paid, 27–29——Endeavoured in every way to abide by these directions, 30——Took the opinion of Mr. Montagu Smith as to the legality of paying the travelling expenses of voters, 31–36.

Employment by Messrs. Macaulay and Steuart of 74 messengers, 37——Sundry ways in which these messengers were employed, adverted to, in order to show that no more were employed than were actually required, 38–42. 153–174——With one exception, witness was not aware, in engaging any person as messenger, that he was a voter, and never

Report, 1857—*continued.*

Barlow, Frederick. (Analysis of his Evidence)—*continued.*

never engaged any one as a means of influencing his vote, 43-45. 100-180. 196-199——Explanation of the circumstances under which, on the polling-day, witness employed as messenger a person whom he knew at the time to be a voter, 43. 46. 57-62——Reference to the number of messengers employed by Colonel Adair and Mr. Hibbert, and to the number of voters among them, 47-52.

In giving orders upon the election auditor for the payment of travelling expenses, or in paying them himself, witness took every precaution to see that too much was not paid, 53-56——Previous arrangement between witness and Mr. Cockerel and Mr. Eaden as to the daily pay of the messengers, that is, 5 *s.* on ordinary days, and 7 *s.* 6 *d.* on the polling-days; remarks hereon, 62. 200-208——The travelling expenses were mostly paid two or three days after the election, 63. 73, 74.

The expenses of Messrs. Macaulay and Steuart were over 800 *l.*, 65——Those of Messrs. Adair and Hibbert were under 500 *l.*, 66——Witness began to act as agent about a fortnight before the election, 67——He did not know that Messrs. Baxter, Rose and Norton were employed till he received their bill after the election, 68-72——In paying the travelling expenses of voters, witness never ascertained from them and was not aware that they had voted for Mr. Steuart; he would have paid those whose expenses had been promised just the same if he heard they had voted on the other side, 75-97. 213-220.

About a dozen letters, signed by Mr. Charles Balls, were sent to voters, with an intimation at the end of each letter, that their fares should be paid; these were doubtless sent to persons expected to support Messrs. Steuart and Macaulay, 84-86. 93-97. 215, 216——Engagement on the polling-day of a general committee-room in a house on Parker's Piece, as well as four or five smaller committee-rooms, whence to get up the voters, &c., 89-91. 164-169.

Practice in regard to the appointment of messengers by witness; the committee of Mr. Steuart had nothing to do with them, 98, 99. 108, 109. 122, 123. 209-212——Examination with reference to some messengers who were also voters, but whom witness asserts he did not know as such when he appointed them, 100-152——The committee sat at the Eagle up to the Saturday night before the polling, 109-111. 166, 167——Part taken by witness in former elections at Cambridge adverted to in connexion with his ignorance of the nominal state of the register, 118-120. 196-199. 240-244.

Reference to an interview between witness and Messrs. Cockerel and Eaden, at which the latter stated that Colonel Adair had resolved not to pay travelling expenses, and would petition if Mr. Steuart did so, 181-190.——Public appointments held by witness, 191-195——Explanation relative to the travelling expenses of two voters paid respectively on the 8th and the 14th April, 221-239——Further statement relative to the letters sent out by Mr. Balls; reference made beforehand to the case of Cooper and Slade, as well as to the opinion of Mr. Smith, 245-254.

[Second Examination.]—Circumstances under which witness gave an order for the payment of 13 *s.* 6 *d.* for travelling expenses to John Halsey, 756-761——Halsey has been in London as a witness on the part of the Sitting Member, 762-764.

[Third Examination.]—Witness placed Richard Stamford's name on the list of messengers, but does not remember under what circumstances, 1153-1156. 1163, 1164——Stamford was paid the same as other messengers, and, so far as witness knows, did the same work, 1157-1162. 1171——Mr. Lawrence, the liquor merchant, did not take an active part on behalf of Macaulay and Steuart, 1194-1170.

[Fourth Examination.]—Explanation relative to the claim of George Mills for travelling expenses, as taken down by witness, 1378-1393.

[Fifth Examination.]—In the course of the polling-day, witness was apprised of the fact, that William Henry Nutt had voted twice for Adair and Hibbert, and has since spoken on the subject to Nutt, who said he did so from ignorance, 2540-2547.

Bavey, William. (Analysis of his Evidence.)—Formerly lived in the parish of St. Mary-the-Great, Cambridge, 2011——Left Cambridge in September last, and came to live with a daughter in London, where he has since been staying, 2013-2017. 2036-2040. 2069-2072——Left a daughter behind him in Cambridge, and left his furniture for the payment of his rent; has not given notice of quitting the house there, but it has since been taken possession of by the landlord, 2018-2022. 2027-2032. 2041-2058. 2074-2079——Went to Cambridge to vote for Steuart and Macaulay; did not then visit the house formerly occupied by him, 2023. 2059-2068——Had not made up his mind when leaving Cambridge whether he should return or not, 2033-2035. 2074.

Bavey, William. The Committee have altered the poll, by striking off the name of William Bavey, as not having had a right to vote, *Rep. p.* iii.

See also *Non-residence*, II.

Report, 1857—*continued.*

Baxter, Rose and Norton, Messrs. Witness did not know that Messrs. Baxter, Rose and Norton were employed on the part of Mr. Steuart until he received their bill after the election, *Barlow*, 68–72——Explanation relative to Messrs. Baxter, Rose and Norton's bill for 4 *l.* 2 *s.* 6 *d.*, as received by witness from Mr. Barlow, *Foster*, 255–257.

Bays, George Henry. (Analysis of his Evidence.)—Knows well the appearance of William Henry Nutt, a bookbinder in Green-street, Cambridge, and residing in Brunswick-street, 2466, 2467. 2476–2506. 2513, 2514——Witness was inspector in the D booth at the last election, and was there when Nutt voted for Adair and Hibbert; he voted in respect of his house in Brunswick-street, 2468–2478. 2507–2514——Nutt is on the registry both for his house in Brunswick-street and his house in Green-street, and is returned in the poll-book, as having voted for each place, 2477–2482. 2514, 2515.

Beart, Robert. Postponement by the Committee of the case of Robert Beart brought forward by counsel for Sitting Member, *Ev. p.* 87.

Decision by the Committee whereby the vote of Robert Beart is retained on the poll for the petitioner, *Ev. p.* 112.

Bevill, Charles. The Committee have altered the poll, by striking off the name of Charles Bevill, as not having had a right to vote, *Rep. p.* iii.

See also *Non-residence*, I. 2.

Bribery. At the election before the last, and at the last election, no money was spent in obtaining votes, *Stamford* 1104, 1105. 1151, 1152.

See also *Election of* 1852. *Messengers. Travelling Expenses of Voters.*

Brown, Matthew. (Analysis of his Evidence.)—Baker at Cambridge, 979——Previously to the late Election often saw Richard Stamford at the Bell and Crown Public-house, then kept by Mr. W. Smith, 980–984——On the evening of the nomination, Stamford, after repeating that he would not vote without money, said he would have his name put down by "Teddy" Lawrence; he left the house for a time, and on his return said that he had got his name put on, 984–1001——During the polling-day witness saw Stamford at the Bell and Crown, 1002–1004.

Witness heard Stamford say several times before the nomination day that he would not vote unless he was paid, 1005–1007——Since the election Smith has "chaffed" Stamford, in witness's presence, about his vote, 1008–1014——Present occupation of Smith adverted to; he has given up the Bell and Crown, 1015–1021——During the election there was a good deal of "chaffing" going on at the Bell and Crown, 1022–1025——Politics of Stamford adverted to, 1027–1031.——Witness came up from Cambridge together with Smith, and has seen him and spoken to him several times since, 1032–1051.

Bunting, David. In appointing David Bunting a messenger, witness was not aware he was a voter, *Barlow*, 128–136——Total amount paid to Bunting as messenger, *Foster* 275.

C.

Campion, ——. Explanation as to a payment to two men of the names of Campion and Mole, for making out the canvassing books, &c., for Colonel Adair and Mr. Hibbert, *Eaden* 391–399.

Cannon, William. (Analysis of his Evidence.)—Bricklayer at Cambridge, 2727, 2728——Accompanied Mr. Robert Moore to the poll at the late election, 2729–2732——Mr. Moore said he should vote for Macaulay and Steuart, 2733——The poll-clerk asked Mr. Moore his name, and for whom he voted; in replying to the latter question, Mr. Moore, who has an impediment in his speech, first said "Macaulay," and then followed it up with the word "Steuart," 2734–2741. 2757–2781.

Doubt as to there having been an inspector or check-clerk for Macaulay and Steuart in the booth at the time that Mr. Moore voted, 2745–2756. 2812–2815——Witness does not remember to have seen Mr. Hall in the booth, 2782–2789. 2803–2808——Circumstance under which witness told Mr. Beales about a week after the election that Mr. Moore had polled for Macaulay and Steuart, 2791–2800. 2811——Witness went to the poll with Mr. Moore, at the request of Mrs. Moore, Mr. Moore being lame and feeble, 2801, 2802. 2809, 2810.

[Second Examination.]—Witness does not recollect whether Moore stood on any step when he voted, or whether the poll-clerk was on a higher position, 3157–3163——Witness, when in the booth, was not interfered with by the policeman; he was close behind Moore, and heard him vote for Steuart as well as Macaulay, 3159, 3160. 3164–3170.

Check Clerks. Explanation relative to witness's appointment as check clerk for Adair and Hibbert, *Mutton*, 2956–2972.

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Cockerel, William. (Analysis of his Evidence.)—Solicitor at Cambridge; is Clerk of the Peace for the borough, 467, 468——Was legal agent for Colonel Adair at the elections of 1852 and 1854, and has also been concerned in former elections for the borough, 469. 470——The appointment of Messengers for Adair and Hibbert rested conjointly with witness and Mr. Eaden, 471——The 32 messengers employed were found amply sufficient; many applications were refused, 472, 473——Concurrence in Mr. Eaden's statement in regard to the interviews with Mr. Barlow, 474, 475——Witness cannot conceive for what purpose 74 messengers were employed by the opposite party, 476, 477.

[Second Examination.]—A reference to the poll-book shows that seven messengers voted for Steuart and Macaulay, 479-481——Eight voters who received travelling expenses polled for Steuart and Macaulay, and one plumped for Steuart, 480. 482.

Committee-rooms (Messrs. Steuart and Macaulay). Engagement on the polling-day of a general committee-room in a house on Parker's Piece, as well as four or five smaller committee-rooms whence to get up the voters, &c., *Barlow* 89-91. 164-169.——The committee sat at the Eagle up to the Saturday night before the polling, *ib.* 109-111. 166, 167.

Cooper, Charles Henry. (Analysis of his Evidence.)—Town-clerk of Cambridge; has at two or three elections acted as legal agent, 297. 300-303. 310-312——Evidence to the effect that 74 messengers, as employed by Messrs. Steuart and Macaulay, were far more than could have been required; 25 or 30 should have been sufficient for the duties to be performed, 303-334.

[Second Examination.]—Witness produces the number of objections at the last revision court, but has never had any list of the parties objected to before the revising barrister, 2379, 2380.

Cowen, Matilda. (Analysis of her Evidence.)—In the beginning of March last Mr. Alfred Lyon, of Cambridge, came to lodge at the house of witness's husband, in Wardrobe-terrace, Doctors' Commons, and after being there for six weeks or so, went into White-cross-street prison, 1963-1971——He went from London to Cambridge to vote at the election, 1972-1974——He told witness that he expected to be arrested in London, 1975-1985——He was absent occasionally from London, but did not give any intimation that he intended to go back permanently to Cambridge, 1986-1989.

Crouch, Benjamin. Vote of Benjamin Crouch proposed to be struck off the poll; the same assented to by Petitioner's counsel, *Ev. p.* 97.

The Committee have altered the poll, by striking off the name of Benjamin Crouch, as not having had a right to vote, *Rep. p.* iii.

D.

Darby, Alfred. (Analysis of his Evidence.)—Was inspector for Adair and Hibbert, in the booth where Mr. Robert Moore voted; was posted immediately behind the poll-clerk, and saw him make each entry in the poll-book, 3021-3032——An inspector on the part of Macaulay and Steuart stood by the side of witness, 3033-3035——Witness does not recollect the precise hour when Moore voted, 3036-3040.

Moore was accompanied into the booth by his son-in-law, Mr. Hall; statement hereon as to witness having directed Hall to be removed from the booth, lest he should influence Moore's vote, 3042-3048. 3108-3110. 3120. 3128-3141——Witness does not recollect having seen William Cannon in the booth with Moore, 3049-3054. 3078, 3079——Positions in the booth respectively of the voters, the poll-clerks, and the inspectors; the voters stood on a stool in front of and quite close to the poll-clerk's desk, 3055, 3056. 3068-3077. 3121-3127.

After the poll-clerk had asked the usual preliminary questions, witness asked him to read the names of the four candidates, as Moore seemed to be in a confused state; witness asked the names to be read out on other occasions also, 3057, 3058. 3102-3107. 3111, 3112. 3131-3134——Moore, on being asked for which candidate he voted, answered, "Macaulay;" witness saw the poll-clerk so record it, recorded it so himself, and believes it was so recorded by the check-clerk for the opposite party, 3058-3067——Information relative to witness's appointment as inspector, and to the circumstance of Adair and Hibbert having had committee-rooms at his house, 3080-3100. 3113-3119.——Moore was twice asked for whom he voted, 3135, 3136.

E.

Eaden, John. (Analysis of his Evidence.)—Attorney at Cambridge; is clerk to the borough magistrates, 335, 336——Was agent at the late election for the election expenses of Mr. Hibbert; had acted as agent in 1852 and 1854, 337, 338——Fewer messengers required at elections since the passing of the Corrupt Practices Act, 339, 340——Colonel Adair and Mr. Hibbert employed 32 messengers; use made of their services; the number was quite

Report, 1857—*continued.*

Eaden, John. (Analysis of his Evidence)—*continued.*

quite sufficient, 341-348——Authority of Mr. Cockerell and witness to appoint as many messengers, and to incur such expenditure as they considered fit, 349-351.

There was no reason whatever for the employment of more messengers by Messrs. Macaulay and Steuart, than by Colonel Adair and Mr. Hibbert, 352-355——Statement as to Colonel Adair and Mr. Hibbert having resolved not to pay travelling expenses, and as to Mr. Cockerell and witness having communicated such resolution to Mr. Barlow several days before the election, with an intimation, that if his party paid them, the question would be raised by Colonel Adair before a Committee of the House of Commons, 356-371. 465, 466——Reference to an interview with Mr. Barlow, when an arrangement was come to in regard to the pay of the messengers, 361-363. 372-377.

Opportunities of witness and Mr. Cockerell for understanding the state of the registration and the political opinions of the voters, 378-390——Explanation as to a payment to two men of the names of Campion and Mole, for making out the canvassing books, &c., 391-399——Recommendations or applications upon which messengers were appointed by Mr. Cockerell and witness, 400-406——Question as to certain of these messengers having been voters, or relatives of voters, 407-417. 421-423——The total amount paid to the messengers, was 27*l.* 15*s.*, 418-420.

Consideration of the probable number of votes lost by Colonel Adair and Mr. Hibbert, in consequence of a division or split among the Liberals in the borough, 424-446. 455-461——Circumstance of Mr. Edmund Foster having abstained from voting for Colonel Adair and Mr. Hibbert; extent of his influence adverted to, 431-442——Further statement in disapproval of the mode of employment of the messengers of Messrs. Macaulay and Steuart, 447-453. 462-464.

[Second Examination.]—Explanation as to witness having employed Edward Sanderson to obtain information from John Halsey as to whether he had been at Isleworth before the election, 739-742——Sanderson subsequently told witness what Halsey had said on the subject, and referred to a memorandum-book in which he had made some note, 743-745——Witness has never heard anything against Sanderson's character, 746-750.

[Third Examination.]—Statement as to Frederick Nicholson having recently told witness that he had permanently left Cambridge on the 1st November, and had since been living at St. Ives, 1840-1854——Nicholson, who is an auctioneer, was registered for a house in Edward's Passage on the Chesterton-road, 1855-1859.

[Fourth Examination.]—St. Ives, where Nicholson has for some time lived, is 12 miles at least from the nearest boundary of the borough of Cambridge, 1900-1905.

[Fifth Examination.]—Witness had an interview with Mr. William Gaylor on the 25th April, relative to his vote (Mr. Gaylor himself examined hereon), 2132, 2133.

[Sixth Examination.]—Particulars of what Gaylor said at the interview of 25th April; he admitted that the public-house at which he then was staying belonged to his mother, and that she took out the licence, 2326-2328——At a second interview Gaylor said, the reason he returned to Cambridge from London was, that he had quarrelled with his employer in the latter place, 2328-2330.

Statement as to Gaylor having been brought to witness's office, about three weeks ago, by a person of the name of Morgan, who had previously told witness that Gaylor could give some information, 2931-2936——Gaylor said that Morgan had offered him 20 *l.*, which made witness very angry, for he had never given Morgan any authority to speak to Gaylor at all, 2336-2338——Witness had employed Morgan on other matters about the petition, but after the proceeding in question, did not again employ him, 2339.

Examination as to the employment by witness of Morgan, Edward Sanderson, and a man of the name of Scott, in order to get up evidence for the petition, by extracting information from certain voters; defence of such proceeding, 2340-2354.

[Seventh Examination.]—Witness is acquainted with Mr. Charles Bevill, formerly solicitor in Cambridge, who voted for Macaulay and Steuart at the last election, 2548-2550——Recent conversation in London between witness and Mr. Bevill, when the latter said he had removed from Cambridge to London with his family and the principal part of his furniture on the 23d March, 2551-2557. 2585——Mr. Bevill said he had left some of his furniture at Cambridge to be sold by Mr. Swan, the auctioneer, and that the house had been locked up, and the key given to Mr. Swan, a few days after the 23d March, 2557-2564.

Remark made by Mr. Bevill at this conversation, which was on the 11th May, that he had still some horses at the stables of his house in Cambridge, 2565, 2566. 2590-2596. 2608, 2609——Statement as to Mr. Bevill having said that when he went to Cambridge to vote he slept at the house of Mr. Adams, and that when he left on 23d March he did not intend to return any more to reside, 2568-2573. 2587-2589. 2604-2607——Explanation as to Mr. Bevill not being called as a witness, 2574-2586.

[Eighth Examination.]—Witness delivers in a notice from the Mayor of Cambridge, dated 23d March 1857, relative to the allotment of polling-booths for the several parishes,

Report, 1857—*continued.*

Eaden, John. (Analysis of his Evidence)—*continued.*

&c., 3171, 3172——Thomas Potter Amey, tailor, voted at the wrong booth, that is, at booth E. instead of booth C., 3173–3183.

Edwards, Japhet, jun. (Analysis of his Evidence.)—Is 17 years old; works for his father, and pays him 10 *s.* a week out of 18 *s.* wages for his board, 1737–1744——Had his name put down at Messrs. Steuart and Macaulay's committee-room as messenger on the Friday before the election, 1745–1750. 1803–1821. 1836–1839——Did not act as messenger till the polling-day, when he carried about notes and messages, 1750–1767. 1822–1824——Told his father his name had been put down as messenger, 1750. 1809–1814.

Explanation as to witness having asked his father to make out a bill for him for three days' employment; witness thought he might have been paid from the day his application had been received, 1768–1775. 1797, 1798. 1825–1829——Witness did not pay the 7 *s.* 6 *d.* which he received as messenger, to his father, or any portion of it, 1776–1791. 1830–1832——Neither of witness's brothers were messengers, 1792–1796——Witness's father asked Mr. Swan to put down witness for a messenger's place, but Mr. Swan said he could not do so, 1799–1806——Mr. Barlow refused to pay witness for more than one day, 1828, 1829.

See also *Messengers,* III. 3.

Edwards, Japhet, sen. (Analysis of his Evidence.)—Plumber and glazier at Cambridge, 1542——Has three sons, George, William, and Japhet, 1543–1553——Voted for Macaulay and Steuart, 1554——A few days before the election witness asked Mr. Swan if he could get his son Japhet employment at the election, but Mr. Swan declared that he could not do so, 1555–1566. 1591, 1592. 1702–1705——His son subsequently got himself put down as messenger for Macaulay and Steuart by applying at the committee-room at the Eagle, 1567–1569. 1706–1711.

On the day of the election witness spent from 8 *s.* to 12 *s.* in treating friends and on himself; this had no reference to messenger's money expected to be received, 1570–1577. 1635–1638——Examination as to witness having made out a bill for his son Japhet for three days' employment as messenger, 1578–1590. 1642–1664——Witness does not recollect the details of a conversation which he had with Mr. Martin some time after the election, but believes he never complained of only one son having been paid as messenger, although all three sons had been put down on the list, 1593–1613. 1685–1696.

Reference to a conversation between witness and Mr. Rayment about the election; witness may have said that only one of his sons got paid, but did not complain about it, 1614–1629. 1697–1701——Witness understood from his sons, George and William, that their names had not been put down for messengers, 1630, 1631——His son Japhet got paid himself at the committee-room, 1632–1634. 1639–1641.

How far witness can speak to the actual services performed by his son Japhet as messenger, 1650–1664. 1712–1715——His son did not give him the 7 *s.* 6 *d.* which he received as messenger, nor any portion of it; explanation hereon, that witness may have received this money, or some of it, on account of his son's board, for which he is paid at the end of each week, 1665–1684. 1716–1736.

See also *Messengers,* III. 3.

Election of 1852. Circumstance of witness having received 10 *l.* for his vote in 1852; very many others took bribes on that occasion, *Stamford* 1108–1112. 1150, 1151.

Ellis, Robert. (Analysis of his Evidence.)—Plumber and glazier, occupying a house in St. Andrew-street, Cambridge, 2411, 2412——Mr. George Pryme, a Professor in the University, and family, lodged with witness for six weeks from the end of February last; he has done so at the same period for the last three years, 2413–2424. 2431, 2432. 2440–2445——On leaving witness's house, Mr. Pryme went to lodgings on the King's Parade, where, as witness understood from him, he has stayed when in Cambridge without his family, 2423. 2425–3434.

Expenses. Witness had most express directions from Mr. Steuart and Mr. Macaulay that nothing but strictly legal expenses should be paid, *Barlow* 27–29——Endeavoured in every way to abide by these directions, *ib.* 30——The expenses of Messrs. Macaulay and Steuart were over 800 *l.*, *ib.* 65—— Those of Messrs. Adair and Hibbert were under 500 *l.*, *ib.* 66.

The total amount paid by witness for Mr. Steuart and Mr. Macaulay is 830 *l.* 2 *s.* 8 *d.*; explanation on some of the items included in this amount, *Foster* 278, 279. 282–289——The amount paid for Colonel Adair and Mr. Hibbert is 471 *l.* 17 *s.* 10 *d.*; explanations hereon, *ib.* 280–283. 290–293.

See also *Messengers.* *Travelling Expenses of Voters.*

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F.

Farney, George. (Analysis of his Evidence.)—Clerk to Mr. Barlow, 765——John Halsey has been waiting in town to appear in support of his vote for Mr. Steuart, but has returned to Cambridge, 766–769——An order for 13*s.* 6*d.* was given to Halsey at the time of the election for travelling expenses, 770–773.

Foster, Edmund. (Analysis of his Evidence.)—Was election auditor at the last election, 10——Produces the several papers and bills which came into his hands in that capacity, 11–22——Produces the appointment of Mr. Frederick Barlow as election agent on behalf of Mr. Steuart, 12–15.

[Second Examination.]—Explanation relative to Messrs. Baxter, Rose and Norton's bill for 4*l.* 2*s.* 6*d.*, as received by witness from Mr. Barlow, 255–257——Reference to witness's accounts, and to sundry payments made by him on the authority of Mr. Barlow for the travelling expenses of certain voters, 259–268——Total payment of 66*l.* 16*s.* on account of 74 messengers, 269, 270——Reference to the accounts as showing the amounts paid by witness on the authority of Mr. Barlow to certain messengers, 271–277.

The total amount paid by witness for Mr. Steuart and Mr. Macaulay is 830*l.* 2*s.* 8*d.*; explanation on some of the items included in this amount, 278, 279. 282–289——The amount paid for Colonel Adair and Mr. Hibbert is 471*l.* 17*s.* 10*d.*; explanations hereon, 280–283. 290–293——Witness produces the written appointments of Mr. Hibbert's agent, 294——Also the appointment of Mr. Cockerell, Colonel Adair's agent, 295, 296.

[Third Examination.]—An order for the payment of money to John Halsey was brought to witness, and the money was paid to the person who brought it, but witness cannot say that such person was Halsey himself, 751–755.

[Fourth Examination.]—Reference to a payment authorised by Mr. Barlow, of 1*l.* 6*s.* for the hire of a dog-cart and driver on the 30th March, 1215–1219.

Foster, Mr. Circumstance of Mr. Edmund Foster having abstained from voting for Colonel Adair and Mr. Hibbert; extent of his influence adverted to, *Eaden* 431–442.

Fuller, Henry. (Analysis of his Evidence.)—Assistant Overseer of the parish of Holy Trinity, Cambridge, 3276——Mr. Robert Youngman paid the rates in the parish up to the one made on 3d June 1856, but was not rated to the rate made on 22d July 1856; 3277–3283.

Fuller, John. (Analysis of his Evidence.)—Witness and a person of the name of Lenton were executors of Mr. Aaron Payne, and received rent from Mr. William Payne, a nephew of the former, in respect of a shop in Cambridge, 3372–3382——William Payne died on the 25th July 1855; 3383——Arrangement whereby John Payne succeeded William Payne in his business, and in his tenancy at a reduced rental; he paid rent from Midsummer 1855; 3384–3423.

G.

Gaylor, William. (Analysis of his Evidence.)—Voted at the last election for Macaulay and Steuart, 2134——Used to live in Cambridge, at the Tally-Ho public-house, in Blackamoor's Head Yard, 2135, 2136——Left Cambridge on the 7th April 1856, and came to London for work, as a boot-closer; continued in London up to the time of the election, 2137–2160. 2320–2325——Went to Cambridge on the 29th March, and returned to London on the 5th April, where he remained for a fortnight, at work as before, 2151–2156.

When witness left Cambridge through slackness of work, he still considered it his home, 2159–2161——Witness still rents the same public-house in Cambridge, which he took in 1854; his mother carries on the business of the house for him, and accounts to him for the profits, 2162–2179. 2264–2279. 2308, 2309——Witness now lives in the house, and came thence on the present occasion, 2167, 2168. 2285, 2286.

Examination on the question of the present tenancy of the public-house in Cambridge, 2180 *et seq.*——Conversation between witness and Mr. Eaden on the 25th April, in the presence of witness's mother; witness did not tell him that the house and business were his mother's, and does not recollect having said that the licence was taken out by her, 2191–2237. 2255–2263. 2287–2290. 2310–2313——Reason why in November last the new licence was taken out in the name of witness's mother, 2221. 2224. 2281–2284——Witness produces some receipts for rates paid by him in respect of the house, the latest receipt being for a rate in September 1856; 2239–2254.

Statement relative to an offer of 20*l.*, made to witness by a person of the name of Morgan, who said he was authorised by Mr. Eaden to give him the money if he would speak the "truth;" proceedings subsequently at Mr. Eaden's office with reference to an erroneous statement by Morgan, that witness knew enough to unseat both Members, 2291–2307. 2314–2319.

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Gaylor, William. The Committee have altered the poll, by striking off the name of William Gaylor as not having had a right to vote, *Rep. p.* iii.

See also *Non-residence*, I. 3.

Gray, Matthew. In appointing Gray a messenger witness did not know he was a voter, *Barlow* 149-152——Amount paid to Gray as messenger, *Foster* 277.

H.

Hall, George Samuel. (Analysis of his Evidence.)—Produces the probate of the will of the late William Payne of Cambridge, 3424, 3425——Mr. Bell, brother-in-law of witness, the solicitor of John Payne, is too ill to attend the Committee, 3426-3429. 3432——Reference to an entry in Mr. Bell's ledger of certain payments by John Payne (objection by counsel for Sitting Member to this entry being admitted in evidence), 3430-3436.

Halsey, John. Explanation relative to the payment of the travelling expenses of this voter; he received merely 13 *s.* 6 *d.* for coming from Isleworth to Cambridge, *Barlow* 222-239.

Witness saw Halsey in Cambridge on the Tuesday or Wednesday before the election, and on the Friday, Saturday, Sunday and polling-day, *Leland* 566-618——Witness never knew of Halsey leaving Cambridge for Isleworth before the election, for work, *ib.* 597.

Witness saw Halsey in Cambridge on Sunday the 29th March, and on the morning of the polling-day, *Sanderson* 625-631——Particulars as to Halsey having told witness, on Sunday the 19th April, and the following Wednesday, that he had not been to Isleworth since the summer of 1856, *ib.* 632-647. 691-698. 721-723. 733, 734——Witness was asked to find out from Halsey whether he had been at Isleworth previously to the election, *ib.* 637——Examination as to the occupation and private character of witness, *ib.* 648-669. 724-732——Statement as to witness having held the conversations with Halsey in April, at the request of Mr. Eaden, *ib.* 670-676. 722, 723. 733——Witness has not been paid for getting the information in question from Halsey; extent of his expectations in the matter, *ib.* 677-690——Examination as to witness having at the time made a short memorandum of the conversation with Halsey, and having subsequently made a statement to Mr. Eaden, which was taken down in writing, *ib.* 699-720. 735-737.

Statement as to witness having employed Sanderson to obtain information from Halsey as to whether he had been at Isleworth before the election, *Eaden* 739-742——Witness knew that Halsey had received 13 *s.* 6 *d.* as though he had come from Isleworth to vote, *ib.* 741——Sanderson subsequently told witness what Halsey had said on the subject, and referred to a memorandum-book in which he had made some note, *ib.* 743-745——Witness has never heard anthying against Sanderson's character, *ib.* 746-750.

Refusal by the Committee of an application on the part of the Sitting Member for an adjournment, with a view to the production of Halsey as a witness, *Ev. p.* 34, 35.

An order for the payment of money to John Halsey was brought to witness, and the money was paid to the person that brought it, but witness cannot say that such person was Halsey himself, *Foster* 751-755——Circumstances under which witness gave an order for the payment of 13 *s.* 6 *d.* for the travelling expenses of Halsey, *Barlow* 756-761.

Halsey has been waiting in town to appear in support of his vote for Mr. Steuart, but has returned to Cambridge, *Barlow* 762-764; *Farney* 766-769——An order for 13 *s.* 6 *d.* was given to Halsey at the time of the election, for travelling expenses, *Farney* 770-773.

Resolution of the Committee, that John Halsey received money on account of having voted, but that such money was received without the knowledge and consent of the Sitting Member or his agent, *Rep. p.* iii.——The Committee report that they have altered the poll, by striking off the name of John Halsey, *ib.*

Harrison, Charles. (Analysis of his Evidence.)—Plumped for Steuart at the last election, 483-487——Was at Gravesend before the election, and went thence to Cambridge, in order to fulfil a previous promise of voting for Mr. Steuart, 488-502. 554-558——Particulars as to witness, after he had voted, having received an order on Mr. Foster from Mr. Barlow for 1 *l.* 14 *s.*, on account of his travelling expenses from Gravesend to Cambridge and back again, 503-531——Statement of the cost of witness's travelling expenses; total of 1 *l.* 14 *s.* 6 *d.*, 532-553. 559.——*See* also *Travelling Expenses of Voters*, 2.

Hoppett, Thomas. Explanation of the circumstances under which witness, on the polling day, appointed Hoppett a messenger, knowing him at the time to be a voter, *Barlow* 43. 46. 57-62. 148——Amount paid to Hoppett as messenger, *Foster* 276.

Hutt,

Report, 1857—*continued.*

Hutt, Samuel. (Analysis of his Evidence.)—Overseer of the parish of St. Mary-the-Less, Cambridge, 1990——Statement as to the Rev. George Maddison having left his house in Cambridge, about August 1856; it was empty at Michaelmas, but is still his house for aught that witness knows, 1991–2010.

I.

Inspectors. Information relative to witness's appointment as inspector, and to the circumstance of Adair and Hibbert having had committee-rooms at his house, *Darby* 3080–3100. 3113–3119.

J.

Jarrold William. (Analysis of his Evidence.)—Was poll-clerk at the late election, 2820——Particulars relative to the polling of Mr. Robert Moore in witness's booth; he stood quite close to witness, and, in reply to witness's question, said he voted for "Macaulay," 2821–2859——A son-in-law of Moore, of the name of Hall, came to the booth with him, but not beyond the bar, 2824–2828——A man of the name of Cannon was not in the booth at all, that is, not inside the bar, 2829–2831. 2846–2852. 2869, 2870. 2882——There were inspectors and check-clerks present who did not make any objection as witness recorded the vote, 2836–2845. 2853–2855.

Examination as to the notice taken by witness, at the time, of Moore; he did not know he was lame, and did not perceive any impediment in his speech, 2860–2868. 2882–2898——Information as to the appointment and pay of witness as poll-clerk, 2871–2881——Witness's attention was not particularly attracted by the circumstance of Moore voting for only one candidate, 2899-2905.

L.

Last, Bradbury. Vote of Bradbury Last proposed to be struck off the poll; the same assented to by the counsel for Sitting Member, *Ev. p.* 97.

Lawrence, William Henry. The Committee have altered the poll by striking off the name of Bradbury Last, as not having had a right to vote, *Rep. p.* iii.

Lawrence, Edward. Mr. Lawrence, the liquor merchant, did not take an active part in behalf of Macaulay and Steuart, *Barlow* 1164-1170.——*See* also *Messengers,* III. 4.

Lawrence, William Henry. (Analysis of his Evidence.)—Formerly lived in Edward's Passage, Cambridge; left it at Christmas last, and removed to Merton-place, which he left about three weeks after Christmas, for London, where he has been ever since, 2116–2130——Went to Cambridge at the late election, and voted for Macaulay and Steuart, 2131.

Lawrence, William Henry. The Committee have altered the poll by striking off the name of William Henry Lawrence, as not having had a right to vote, *Rep. p.* iii.

See also *Non-Residence,* I. 4.

Leland, Robert. (Analysis of his Evidence.)—Lives at Cambridge; is well acquainted with John Halsey, assistant coal-carrier at Jesus College, 560–565. 610–614——Saw Halsey in Cambridge on the Tuesday or Wednesday before the election, and on the Friday, Saturday, Sunday and polling-day, 566–618——Witness, who is a voter, was a messenger for Colonel Adair and Mr. Hibbert, and received 17 *s.* 6 *d.* for three days' employment, 584–590. 619–621——Witness never knew of Halsey leaving Cambridge for Isleworth, before the election, for work, 597.

Lyon, Alfred. See *Non-residence,* I. 5.

Lyon, Henry. (Analysis of his Evidence.)—Chemist at Cambridge; is brother of Alfred Lyon, 1906, 1907——In February last, Alfred Lyon sold his business in Cambridge, as draper, to Mr. Pratt; he left Cambridge about the same time, but paid rent to the 25th March, and since February has been to Cambridge at different times, 1908–1962——Statement as to Alfred Lyon having in the first instance gone from Cambridge to Wardrobe-terrace, Doctors' Commons, and having subsequently been for some time in Whitecross-street prison, 1919–1921. 1949. 1960–1962——He never left Cambridge finally, and is there now, and likely to remain, 1947–1951.

M.

Maddison, Rev. George. See *Non-residence,* I. 6.

Martin, James. (Analysis of his Evidence.)—Chairman of the Board of Guardians of Cambridge; voted for Adair and Hibbert, 1394, 1395. 1427——Particulars, so far as witness can remember them, of some remarks of Japhet Edwards in witness's shop, about the time of its being known that a petition was to be presented; Edwards made some complaint about getting only 7 *s.* 6 *d.,* although he had applied for messengers' places for three

Report, 1857—*continued.*

Martin, James. (Analysis of his Evidence)—*continued.*

three sons, 1396–1440——Witness repeated to Mr. Cockerel what Edwards had said, but did not know at the time that the matter would have gone any further, inasmuch as he spoke of it as a joke, 1428–1433. 1436, 1437.

MESSENGERS:

I. *Arrangement in regard to the Rate of Payment.*

II. *Fewer Messengers required since the Act of* 1854.

III. *Messrs. Macaulay and Steuart:*

1. Mode of Appointment, Number, and Expense.
2. Employment or Services.
3. Case of Japhet Edwards and Sons.
4. Case of Richard Stamford.

IV. *Colonel Adair and Mr. Hibbert.*

I. *Arrangement in regard to the Rate of Payment:*

Previous arrangement between witness and Mr. Cockerel and Mr. Eaden, as to the daily pay of the messengers, that is, 5 *s.* on ordinary days and 7 *s.* 6 *d.* on the polling days; remarks hereon, *Barlow* 62. 200–208.

Evidence relative to the interview with Mr. Barlow, when an arrangement was come to in regard to the pay of the messengers, *Eaden* 372–377; *Cockerell* 474, 475.

II. *Fewer Messengers required since the Act of* 1854:

Since the passing of the Corrupt Practices Act, and the abolition of the use of flags, &c., fewer messengers are required generally than was formerly the case, *Eaden* 339, 340.

III. *Messrs. Macaulay and Steuart:*

1. Mode of Appointment, Number, and Expense:

Employment by Messrs. Macaulay and Steuart of 74 messengers, *Barlow* 37——With one exception, witness was not aware, in engaging any person as messenger, that he was a voter, and never engaged any one as a means of influencing his vote, *ib.* 43–45. 100–180. 196–199——Explanation of the circumstances under which, on the polling day, witness employed as messenger a person whom he knew at the time to be a voter, *ib.* 43. 46. 57–62——Practice in regard to the appointment of messengers by witness; the committee of Mr. Steuart had nothing to do with them, *ib.* 98, 99. 108, 109. 122, 123. 209–212——Examination with reference to some messengers who were also voters, but whom witness asserts he did not know as such when he appointed them, *ib.* 100–152.

Total payment of 66 *l.* 16 *s.* on accout of 74 messengers, *Foster* 269, 270——Reference to the accounts, as showing the amounts paid by witness, on the authority of Mr. Barlow, to particular messengers, *ib.* 271–277.

A reference to the poll-book shows that seven messengers voted for Steuart and Macaulay, *Cockerel* 479–481.

2. Employment or Services:

Sundry ways in which the messengers were employed adverted to, in order to show that no more were employed than were actually required, *Barlow* 38–42. 153–174——A messenger was appointed to each fly; there were 29 flys, *ib.* 153–159.

Evidence to the effect that 74 messengers, as employed by Messrs. Steuart and Macaulay, were far more than could have been required; 25 or 30 should have been sufficient for the duties to be performed, *Cooper* 303–334——The employment of messengers to go about with the flys and look after the drivers was altogether unnecessary, *Cooper* 309; *Eaden* 347. 452. 463, 464——There was no reason whatever for the employment of more messengers by Messrs. Macaulay and Steuart, than by Colonel Adair and Mr. Hibbert, *Eaden* 352–355——Further statements in disapproval of the mode of employment of the messengers of Messrs. Macaulay and Steuart, *ib.* 447–453. 462–464——Witness cannot conceive for what purpose 74 messengers were employed, *Cockerel* 476, 477.

How far witness can speak to the actual services of his son Japhet as messenger, *J. Edwards, sen.* 1650–1664. 1712–1715——Services performed by witness as messenger, *J. Edwards, jun.* 1750–1767. 1822–1824.

3. Case of Japhet Edwards and Sons:

Particulars, so far as witness can remember them, of some remarks of Japhet Edwards in witness's shop, about the time of its being known that a petition was to be presented; Edwards made some complaint about getting only 7 *s.* 6 *d.*, although he had applied for messengers' places for three sons, *Martin* 1396–1440——Witness repeated to Mr. Cockerel what Edwards had said, but did not know at the time that the matter would have gone any further, inasmuch as he spoke of it as a joke, *ib.* 1428–1433. 1436, 1437.

MESSENGERS—continued.

III. *Messrs. Macaulay and Steuart*—continued.

3. Case of Japhet Edwards and Sons—*continued.*

Information relative to the three sons of the voter, Japhet Edwards, *Sanderson* 1441–1454. 1469–1473——Conversation between witness and Edwards, in which the latter complained that on the day of election he had spent 12 *s.*, and that although his three sons had been put down as messengers, only one of them had been paid, *ib.* 1455–1466——Circumstances under which the conversation with Edwards took place, *ib.* 1492–1501. 1508–1512——Witness did not make any memorandum of what Edwards said, but repeated the conversation to Mr. Eaden the next day, *ib.* 1502–1504.

Circumstances under which Japhet Edwards had a conversation with witness about a fortnight or three weeks after the election, *Rayment* 1513–1525——Edwards said that only one of his three sons had been paid as messenger, and that he would be damned if he would ever vote on the same side again unless the other two were paid, *ib.* 1526–1529. 1541——Politics of Edwards adverted to, *ib.* 1530–1534. 1541.

Witness is a plumber and glazier at Cambridge, *J. Edwards, sen.* 1542——Has three sons, George, William, and Japhet, *ib.* 1543–1553——Voted for Macaulay and Steuart, *ib.* 1554.

A few days before the election witness asked Mr. Swan if he could get his son Japhet employment at the election, but Mr. Swan declared that he could not do so, *J. Edwards, sen.* 1555–1566. 1591, 1592. 1702–1705——His son subsequently got himself put down as messenger for Macaulay and Steuart, by applying at the committee-room at the Eagle, *ib.* 1567–1569. 1706–1711——On the day of election witness spent from 8 *s.* to 12 *s.* in treating friends and on himself; this had no reference to messengers' money expected to be received, *ib.* 1570–1577. 1635–1638——Examination as to witness having made out a bill for his son Japhet for three days' employment as messenger, *ib.* 1578–1590. 1642–1664.

Witness does not recollect the details of a conversation which he had with Mr. Martin some time after the election, but believes he never complained of only one son having been paid as messenger, although all three sons had not been put down, *J. Edwards, sen.* 1593–1613. 1685–1696——Reference to a conversation between witness and Mr. Rayment about the election; witness may have said that only one of his sons got paid, but did not complain about it, *ib.* 1614–1629. 1697–1701——Witness understood from his sons, George and William, that their names had not been put down as messengers, *ib.* 1630, 1631——His son Japhet got paid himself at the committee-room, *ib.* 1632–1634. 1639–1641——His son did not give him the 7 *s.* 6 *d.* which he received as messenger, nor any portion of it; explanation hereon; that witness may have received this money, or some of it, on account of his son's board, for which he is paid at the end of each week, *ib.* 1665–1684. 1716–1736.

Witness is 17 years of age; works for his father, and pays him 10 *s.* a week out of 18 *s.* wages, for his board, *J. Edwards, jun.* 1737–1744——Had his name put down at Messrs. Steuart and Macaulay's committee-room as messenger on the Friday before the election, *ib.* 1745–1750. 1803–1821. 1836–1839——Did not act as messenger till the polling-day, when he carried about notes and messages, *ib.* 1750–1767. 1822–1824——Told his father his name had been put down as messenger, *ib.* 1750. 1809–1814.

Explanation as to witness having asked his father to make out a bill for him for three days' employment; witness thought he might have been paid from the day his application had been received, *J. Edwards, jun.* 1768–1775. 1797, 1798. 1825–1829——Witness did not pay the 7 *s.* 6 *d.* he received as messenger to his father, or any portion of it, *ib.* 1776–1791. 1830–1832——Neither of witness's brothers were messengers, *ib.* 1792–1796——Witness's father asked Mr. Swan to put down witness for a messenger's place, but Mr. Swan said he could not do so, *ib.* 1799–1806——Mr. Barlow refused to pay witness for more than one day, *ib.* 1828, 1829.

The Committee decide that the vote of Japhet Edwards was a good vote, *p.* 68.

4. Case of Richard Stamford:

In appointing Stamford a messenger, witness did not know he was a voter, *Barlow* 137–147——Amount paid to Stamford as messenger, *Foster* 276.

At the time of the last election, witness kept the Bell and Crown public-house in Bridge-street, Cambridge, *W. Smith* 774——Previously to the nomination for the last election, Richard Stamford, who frequents witness's house, said on several occasions that he would not vote unless he was paid, and that he had been paid for voting before, *ib.* 775–782——On the evening of the nomination, Stamford said he should go and see "Teddy" Lawrence, and have his name put down as messenger; he left witness's house for this purpose, and on his return said his name had been taken down, *ib.* 782–796——Early on the polling-day, witness saw Stamford and a person of the name of Cousins pass by his house in a fly going to the poll; doubt whether Cousins is a voter, *ib.* 797–803. 821–827. 831——About half past ten, witness met Stamford at Castle End, when

MESSENGERS—continued.

III. *Messrs. Macaulay and Steuart*—continued.

4. Case of Richard Stamford—*continued.*

when the latter said he had voted; object of witness in going to Castle End, which is some distance from his house, *ib.* 804-811. 832-870.

Particulars as to Stamford having been to witness's house at different times during the day after he had voted, *W. Smith* 811-819. 828-830. 838-955——Doubt whether witness had told Stamford how he intended to vote; it was not necessary to do so, *ib.* 878-885——Examination in regard to Stamford's statements at witness's house, that he would vote for the Tories, but not unless he got paid for doing so; there were several persons present on these occasions, *ib.* 886-937. 956-964——Politics of Stamford adverted to, *W. Smith* 887-889. 937; *Brown*, 1027-1031.

Statement as to Stamford having said, on one occasion, that he hoped his arm might drop off if he voted without money, *W. Smith* 891-913. 935, 936——Matthew Brown was present when Stamford said he must have money for his vote, *ib.* 917-934——Witness did not volunteer to make a statement before Mr. Eaden of what Stamford had said; Mr. Eaden sent for him for that purpose, *ib.* 965-973——When witness saw Stamford at Castle End on the polling morning, he (Stamford) said he had nothing to do, *ib.* 974-978.

Previously to the late election, witness often saw Richard Stamford at the Bell and Crown public-house, then kept by Mr. W. Smith, *Brown* 980-984——On the evening of the nomination, Stamford, after repeating that he would not vote without money, said he would have his name put down by "Teddy" Lawrence; he left the house for a time, and on his return said that he had got his name put on, 984-1001——During the polling day, witness saw Stamford at the Bell and Crown, *ib.* 1002-1004——Witness heard Stamford say several times before the nomination day, that he would not vote unless he was paid, *ib.* 1005-1007——Since the election, Smith has "chaffed" Stamford, in witness's presence, about his vote, *ib.* 1008-1014——Present occupation of Smith adverted to; he has given up the Bell and Crown, *ib.* 1015-1021——Witness came up from Cambridge with Smith, and has seen him and spoken to him several times since, *ib.* 1032-1051.

Witness has voted at three elections at Cambridge; has lived there a great many years, *Stamford* 1052, 1053——Voted at the last election for Macaulay and Steuart; had previously promised to do so, *ib.* 1054-1059. 1146-1149——Was appointed a messenger by Mr. Barlow, to whom he was recommended by Mr. Lawrence, *ib.* 1060-1066——Occupation and services of witness as messenger, *ib.* 1067-1097. 1113-1145——Witness took Mr. Cousins, a voter, to the poll in a fly; Mr. Lawrence was with them, *ib.* 1070-1072. 1113-1129.

Circumstance of witness having been in the Bell and Crown at different times on the polling day, *Stamford* 1089-1097. 1131-1133. 1140-1145——Witness never said at Bell and Crown he would not vote unless he was paid, and that he wished his arm might drop off if he did so vote, *ib.* 1098-1104——The appointment as messenger had no effect on witness's vote, *ib.* 1106.

Witness placed Stamford's name on the list of messengers, but does not remember under what circumstances, *Barlow* 1153-1156. 1163, 1164——Stamford was paid the same as other messengers, and so far as witness knows he did the same work, *ib.* 1157-1162. 1171.

Resolution of the Committee, that Richard Stamford received money on account of having voted, but that such money was so received without the knowledge and consent of the Sitting Member or his agent, *Rep. p.* iii——The Committee have altered the poll by striking off the name of Richard Stamford, *ib.*

IV. *Colonel Adair and Mr. Hibbert:*

Reference to the number of messengers employed by Colonel Adair and Mr. Hibbert, and the number of voters among them, *Barlow* 47-52.

Colonel Adair and Mr. Hibbert employed 32 messengers; use made of their services; the number was quite sufficient, *Eaden* 341-348——Authority of Mr. Cockerel and witness to appoint as many messengers, and to incur such expenditure as they considered fit, *ib.* 349-351——Recommendations or applications upon which messengers were appointed by Mr. Cockerel and witness, *ib.* 400-406——Question as to certain of these messengers having been voters, or relatives of voters, *ib.* 407-417. 421-423——The total amount paid to the messengers was 27 *l.* 15*s.*, *ib.* 418-420.

The appointment of messengers for Adair and Hibbert rested conjointly with Mr. Eaden and witness, *Cockerel* 471——The 32 messengers employed were found amply sufficient; many applications were refused, *ib.* 472, 473.

Witness, who is a voter, was a messenger for Colonel Adair and Mr. Hibbert, and received 17*s.* 6*d.* for three days' employment, *Leland* 584-590. 619-621.

See also *Bunting, David.* *Gray, Matthew.* *Hoppett, Thomas.* *Pilson, Edward.* *Pryke, Joseph.* *Waters, Moses.*

Mills, George. (Analysis of his Evidence.)—Voted at the late election, 1220, 1221——On the morning of the polling-day witness went from Saffron Walden, *viâ* Sawston, to Cambridge; way in which he travelled, 1222–1229——Witness returned from Cambridge to Sawston on the 2d or 3d April, having been detained by business in Cambridge, 1230, 1231. 1248–1251. 1305–1307.

Particulars as to witness having asked and obtained 6*s.* for his travelling expenses from Saffron Walden to Cambridge, and back again; calculation of the actual cost, 1232–1247. 1254–1262. 1216–1351. 1374–1377——Witness promised on the Saturday before the election to vote for Steuart and Macaulay; particulars hereon, 1232,1253. 1276–1279. 1356–1363——When witness made out the calculation of 6*s.*, he included his fare all the way back to Saffron Walden; he has not yet been there, but has business there which still requires his presence, 1263–1275. 1316–1351. 1366–1373.

Arrangement made at the committee-room in Cambridge on the Saturday before the election about sending for witness to Sawston on the Monday morning, 1280–1303. 1364, 1365——Witness did not get 2*s.* 6*d.* to take him back from Cambridge, 1304——Witness did not intend to apply for his travelling expenses until he heard, after the polling, from two men of the names of Mowden and Robinson, that it was legal and proper for him to do so, 1308–1315. 1352–1355.

Mills, George, Jun.—The Committee have altered the poll, by striking off the name of George Mills, *Rep.* p. iii.

See also *Travelling Expenses of Voters,* 3.

Moore, Robert. (Analysis of his Evidence.)—Poulterer at Cambridge; has lived there many years, 2676–2678——Promised to vote for Macaulay and Steuart at the last election, 2679, 2680. 2721–2726——Went to the polling-booth early on the polling day, accompanied by William Cannon, and when asked by the poll clerk for whom he would vote, said "Macaulay and Steuart," 2681–2687. 2695–2717——Subsequently told his cousin, Samuel Moore, that he had voted for Macaulay and Steuart, 2688–2691. 2699——When the poll-book was printed, witness saw that his name was down for Macaulay only, 2692——Witness is rather slow of speech; he is in his 76th year, and has always voted for the Tory candidates, 2696. 2718–2720.

[Second Examination.]—Witness is not friendly with his son-in-law, Hall, and was not accompanied by him to the poll, 3142–3145——Witness does not recollect to have stood upon a stool or raised step in front of the poll-clerk's desk; the poll-clerk was above witness, 3146–3150——Cannon was close behind witness when he voted, 3151–3155.

Moore, Robert. The Committee have altered the poll, by adding to the votes given for Mr. Steuart the vote of Robert Moore, whose name appears on the poll as having only voted for Mr. Macaulay, *Rep.* p. iii.

See also *Omission of Record of Votes.*

Moore, Samuel. (Analysis of his Evidence.)—Reference to a conversation on the day of the election between witness and his cousin, Mr. Robert Moore, about the way he voted, 2816–2819.

Morgan ——. See *Petition.*

Mutton, Joseph. (Analysis of his Evidence.)—Was check-clerk for Adair and Hibbert at the booth where Mr. Robert Moore voted, 2906, 2907——Moore was accompanied to the booth by his son-in-law, Mr. Hall; witness does not recollect to have seen a person of the name of Cannon with him, 2908–2914. 2943–2955. 3012–3017——Witness sat on one side of the poll-clerk, and a check-clerk on the part of Macaulay and Steuart on the other side, 2915, 2916. 2925–2932. 2983–2985. 3006–3011.

The poll-clerk, after asking Moore's name and profession, read out the names of the candidates, and asked him for whom he voted, to which he replied, "Macaulay"; witness is positive he mentioned no other name, 2915–2925. 2973–2989——The entry in the poll-book was not objected to by any one; witness made an entry of the vote in his check-book at the time, 2926–2942——Explanation relative to witness's appointment as check-clerk, 2956–2972——Statement as to the names of the four candidates having been read out to Moore at the direction of one of the inspectors; the names were read out to the voters generally, 2973–3003. 3018–3020.

N.

Naylor, James Richard. (Analysis of his Evidence.)—Produces the writ and return for the last election for the borough of Cambridge; these have been opened and registered in the Crown Office in the usual way, 1–9.

Nicholson, Frederick. The Committee have altered the poll, by striking off the name of Frederick Nicholson, as not having had a right to vote, *Rep. p.* iii.

See also *Non-residence,* I. 7.

Report, 1857—*continued.*

NON-RESIDENCE:

I. *Voters of Sitting Member:*

1. William Bavey.
2. Charles Bevill.
3. William Gaylor.
4. William Henry Lawrence.
5. Alfred Lyon.
6. George Maddison.
7. Frederick Nicholson.

II. *Voters of Petitioner:*

1. William Banham.
2. George Pryme.

I. *Voters of Sitting Member:*

1. William Bavey:

Witness formerly lived in the parish of St. Mary-the-Great, Cambridge, *Bavey* 2011——Left Cambridge in September last, and came to live with a daughter in London, where he has since been staying, *ib.* 2013–2017. 2036–2040. 2069–2072——Left a daughter behind him in Cambridge, and left his furniture for the payment of his rent; has not given notice of quitting the house, but it has since been taken possession of by the landlord, *ib.* 2018–2022. 2027–2032. 2041–2058. 2074–2079——Went to Cambridge to vote for Steuart and Macaulay; did not then visit the house formerly occupied by him, *ib.* 2023. 2059–2068——Had not made up his mind, when leaving Cambridge, whether he should return or not, *ib.* 2033–2035. 2074.

The Committee decide that the vote of William Bavey was a bad vote, and that it be struck off the poll, *Ev. p.* 77, and *Rep. p.* iii.

2. Charles Bevill:

Witness is acquainted with Mr. Charles Bevill, formerly solicitor in Cambridge, who voted for Macaulay and Steuart at the late election, *Eaden* 2548–2550——Recent conversation in London between witness and Mr. Bevill, when the latter said he had removed from Cambridge to London, with his family and the principal part of his furniture, on the 23d March, *ib.* 2551–2557. 2585——Mr. Bevill said he had left some of his furniture at Cambridge to be sold by Mr. Swan, the auctioneer, and that the house had been locked up, and the key given to Mr. Swan a few days after the 23d March, *ib.* 2557–2564——Remark made by Mr. Bevill at this conversation, which was on the 11th May, that he had still some horses at the stables of his house in Cambridge, *ib.* 2565, 2566. 2590–2596. 2608, 2609——Statement as to Mr. Bevill having said that when he went to Cambridge to vote he slept at the house of Mr. Adams, and that when he left on the 23d March he did not intend to return any more to reside, *ib.* 2568–2573. 2587–2589. 2604–2607——Explanation as to Mr. Bevill not being called as a witness, *ib.* 2574–2586.

Witness lives very nearly opposite the house lately occupied by Mr. Bevill, at Cambridge, *Waters* 2610, 2611——On the 23d March Mr. Hibbert and witness canvassed Mr. Bevill for his vote, but he said he was removing that day with his family to London, and did not think he would be there to vote at all, *ib.* 2612–2621, *ib.*——Witness saw some of the furniture going away on the 23d March, *ib.* 2622–2624——There was a bill on the house before the 23d March that the house was to let, and previously to the election the house was shut up, *ib.* 2623–2633——Particulars relative to an auction at the house about a fortnight after the election; character of the furniture; *ib.* 2634–2675.

The Committee decide that the vote of Mr. Bevill was bad, and must be struck off the poll, *Ev. p.* 97, and *Rep. p.* iii.

3. William Gaylor:

Witness had an interview with Mr. William Gaylor, on the 25th April, relative to his vote (Mr. Gaylor himself examined hereon), *Eaden* 2132, 2133.

Witness voted for Macaulay and Steuart, *Gaylor* 2134——Used to live in Cambridge, at the Tally-Ho public-house, in Blackmoor's Head yard, *ib.* 2135, 2136——Left Cambridge on the 7th April 1856, and came to London for work, as a boot-closer; continued in London up to the time of the election; *ib.* 2137–2160. 2320–2325——Went to Cambridge on the 29th March, and returned to London on the 5th April, where he remained for a fortnight at work as before, *ib.* 2151–2156——When witness left Cambridge, through slackness of work, he still considered it his home, *ib.* 2159–2161——Witness still rents the same public-house in Cambridge, which he took in 1854; his mother carries on the business for him, and accounts to him for the profits; *ib.* 2162–2179. 2264–2279. 2308, 2309——Witness now lives in the same house, and came thence on the present occasion, *ib.* 2167, 2168. 2285, 2286.

Examination

NON-RESIDENCE—continued.

I. *Voters of Sitting Member*—continued.

3. William Gaylor—*continued.*

Examination on the present tenancy of the public-house in Cambridge, *Gaylor* 2180 *et seq.*——Conversation between witness and Mr. Eaden on the 25th April, in the presence of witness's mother; witness did not tell him that the house and business were his mother's, and does not recollect having said the licence was taken out by her, *ib.* 2191–2237. 2255–2263. 2287–2290. 2310–2313——Reason why in November last the new licence was taken out in the name of witness's mother, *ib.* 2221. 2224. 2281–2284——Witness produces some receipts for rates paid by him in respect of the house, the latest receipt being for a rate in September 1856, *ib.* 2239–2254.

Particulars of what Gaylor said at the interview of the 25th April; he admitted that the public-house at which he was then staying belonged to his mother, and that she took out the licence, *Eaden* 2326–2328——At a second interview, Gaylor said the reason he returned to Cambridge from London was that he had quarrelled with his employer in the latter place, *ib.* 2328–2330.

Witness is assistant overseer of the parish of St. Clement, Cambridge, *Peters* 2355——Application made to witness by Mrs. Gaylor, after the November rate was made, to have her name placed on the rate-book in lieu of that of her son, William Gaylor; consequent alteration in the rate-book, so that Mrs. Gaylor has since been rated as resident occupier, *ib.* 2356–2378.

The Committee decide that William Gaylor had ceased to reside in Cambridge, and that the vote was therefore bad, and that it be struck off the poll, *Ev. p.* 86; *Rep. p.* iii.

4. William Henry Lawrence:

Witness is assistant overseer and rate collector in the parish of St. Giles, Cambridge, *Peters* 2080. 2102–2104——William Henry Lawrence used to live in Edward's Passage, in St. Giles's parish, but left it about Christmas last, and removed for a short time to Merton-place, and has not been in Cambridge since, except at the late election, *ib.* 2081–2115.

Witness formerly lived in Edward's Passage, Cambridge; left it at Christmas last, and removed to Merton-place, which he left about three weeks after Christmas for London, where he has been ever since, *Lawrence* 2116–2113——Went to Cambridge at the late election, and voted for Macaulay and Steuart, *ib.* 2131.

The Committee decide that the vote of William Henry Lawrence should be struck off the poll, *Ev. p.* 78, and *Rep. p.* iii.

5. Alfred Lyon:

Witness is a chemist at Cambridge; is brother of Alfred Lyon, *Henry Lyon* 1906 1907——In February last Alfred Lyon sold his business in Cambridge, as draper, to Mr. Pratt; he left Cambridge about the same time, but paid rent to the 25th March, and since February has been to Cambridge several times, *ib.* 1908–1962——Statement as to Alfred Lyon having in the first instance gone from Cambridge to Wardrobe Terrace, Doctors' Commons, and having subsequently been for some time in Whitecross-street prison, *ib.* 1919–1921. 1949. 1960–1962——He never left Cambridge finally; and is there now, and likely to remain, *ib.* 1947–1951.

In the beginning of March last Mr. Alfred Lyon came to lodge at the house of witness's husband, near Doctors' Commons; and after being there for six weeks or so, went into Whitecross-street prison, *Cowen* 1963–1971——He went from London to Cambridge to vote at the election, *ib.* 1972–1974——He told witness that he expected to be arrested in London, *ib.* 1975–1985——He was absent occasionally from London, but did not give any intimation that he intended to go back permanently to Cambridge, *ib.* 1986–1989.

The Committee decide that the vote of Alfred Lyon was a good vote, *Ev.* p. 73.

6. George Maddison:

Witness is overseer of the parish of St. Mary-the-Less, Cambridge, *Hutt* 1990——Statement as to the Rev. George Maddison having left his house in Cambridge about August 1856; it was empty at Michaelmas, but is still his house for aught witness knows to the contrary, *ib.* 1991–2010.

The Committee decide that the vote of Mr. Maddison was a good vote, *Ev. p.* 75.

Refusal by the Committee of an application by petitioner's counsel to re-hear Maddison's case, *Ev. p.* 78, 79.

7. Frederick Nicholson:

Statement as to Frederick Nicholson having recently told witness that he had permanently left Cambridge on the 1st November, and had since been living at St. Ives, *Eaden* 1840–1854——Nicholson, who is an auctioneer, was registered for a house in Edward's Passage, in the Chesterton Road, *ib.* 1855–1859.

Report, 1857—*continued.*

NON-RESIDENCE—continued.

I. *Voters of Sitting Member*—continued.

7. Frederick Nicholson—*continued.*

Witness is assistant overseer of the parish of St. Edward, Cambridge, *Peters* 1860——Evidence to the effect that Frederick Nicholson did not pay any rate since June 1856, in respect of the house occupied by him in Edward's Passage, and that he has not occupied the house since Christmas, *ib.* 1861–1899.

Statement by petitioner's counsel that the poll-books show that Nicholson voted for Macaulay and Steuart, *Ev. p.* 70.

St. Ives, where Nicholson has for some time lived, is twelve miles at least from the nearest boundary of the borough of Cambridge, *Eaden* 1900–1905.

The Committee decide that the vote of Frederick Nicholson was a bad vote, and that it be struck off the poll, *Ev. p.* 70, and *Rep. p.* iii.

II. *Voters of Petitioner:*

1. William Banham:

Witness's brother, William Banham, left Cambridge on the Tuesday after Christmas-day, and removed with his family and furniture to Newport in Essex, where he has since been living; he has been to Cambridge occasionally on business since, but has no home there, *Daniel Banham* 2381-2410.

The Committee decide that the vote of William Banham (who voted for Adair and Hibbert) was bad, and that it be struck off the poll, *Ev. p.* 88, and *Rep. p.* iii.

2. George Pryme:

Witness is a plumber and glazier, occupying a house in St. Andrew-street, Cambridge, *Ellis* 2411, 2412——Mr. George Pryme, a Professor in the University, and family, lodged with witness for six weeks from the end of February last; he has done so for the same period for the last three years, *ib.* 2431, 2432. 2440-2445——On leaving witness's house Mr. Pryme went to lodgings in the King's Parade, where, as witness understood from him, he has stayed when in Cambridge without his family, *ib.* 2423. 2425-2434.

Witness keeps a lodging-house at King's Parade, Cambridge, *F. B. Smith* 2446–2449——Has for some years let a sitting-room and bed-room to Mr. George Pryme, of the University, who has paid for them continuously, though he has not continuously occupied them; witness has never let the rooms in his absence, *ib.* 2450–2465.

The Committee are of opinion that Mr. Pryme had a sufficient residence, and that his vote was good, *Ev. p.* 90.

Nutt, William Henry. Witness knows well the appearance of William Henry Nutt, bookbinder in Green-street, Cambridge, and residing in Brunswick-street, *Bays* 2466, 2467. 2476–2506. 2513, 2514——Witness was inspector of the D booth at the last election, and was there when Nutt voted for Adair and Hibbert; he voted in respect of his house in Brunswick-street, *ib.* 2468–2478. 2507–2514——Nutt is on the registry both for his house in Brunswick-street and his house in Green-street, and is returned in the poll-books as having voted for each place, *ib.* 2477–2482. 2514, 2515.

Witness acted as check-clerk in booth A at the last election, *Todd* 2516, 2517——Statement as to William Henry Nutt, bookbinder in Green-street, having voted in this booth; he stated at the time that his place of residence was in Brunswick-street, *ib.* 2518–2538.

In the course of the polling day witness was apprised of the fact that Nutt had voted twice for Adair and Hibbert, and has since spoken on the subject to Nutt, who said he did so from ignorance, *Barlow* 2540-2547.

The Committee have altered the poll, by striking off the name of William Henry Nutt (No. 1573 on the register), such voter having also voted in respect of the qualification No. 760 on the Register, *Ev. p.* 93, and *Rep. p.* iii.

O.

Omission of Record of Vote (*Robert Moore*).—Witness is a poulterer at Cambridge; has lived there many years, *R. Moore* 2676–2678——Promised to vote for Macaulay and Steuart at the last election, *ib.* 2679. 2680. 2721–2726——Went to the polling-booth early on the polling day, accompanied by William Cannon, and when asked by the poll-clerk for whom he would vote, said "Macaulay and Steuart," *ib.* 2681–2687. 2695–2717——Subsequently told his cousin, Samuel Moore, that he had voted for Macaulay and Steuart, *ib.* 2688–2691. 2699——When the poll-book was printed, witness saw that his name was down for Macaulay only, *ib.* 2692.

Witness is rather slow of speech, *ib.* 2696——He is in his 76th year, and has always voted for the Tory Candidates, *ib.* 2718–2720.

Witness

Report, 1857—*continued.*

Omission of Record of Vote (*Robert Moore*)—continued.

Witness is a bricklayer at Cambridge, *Cannon* 2727, 2728——Accompanied Mr. Robert Moore to the poll at the late election, *ib.* 2729–2732——Mr. Moore said he should vote for Macaulay and Steuart, *ib.* 2733——The poll-clerk asked Mr. Moore his name, and for whom he voted; in replying to the latter question, Mr. Moore, who has an impediment in his his speech, first said "Macaulay," and then followed it up with the word "Steuart," *ib.* 2734-2741. 2757-2781——Doubt as to there having been an inspector or check-clerk for Macaulay and Steuart in the booth at the time that Mr. Moore voted, *ib.* 2745–2756. 2812–2815——Witness does not remember to have seen Mr. Hall in the booth, *ib.* 2782–2789. 2803–2808——Circumstance under which witness told Mr. Beales, about a week after the election, that Mr. Moore had polled for Macaulay and Steuart, *ib.* 2791–2800. 2811——Witness went to the poll with Mr. Moore at the request of Mrs. Moore, Mr. Moore being lame and feeble, *ib.* 2801, 2802. 2809, 2810.

Reference to a conversation on the day of the election between witness and his cousin, Mr. Robert Moore, about the way he voted, *Samuel Moore* 2816–2819.

Witness was poll-clerk at the late election, *Jerrold* 2820——Particulars relative to the polling of Mr. Robert Moore in witness's booth; he stood quite close to witness, and, in reply to witness's question, said he voted for "Macaulay," *ib.* 2821–2859——A son-in-law of Moore, of the name of Hall, came to the booth with him, but not beyond the bar, *ib.* 2824–2828——A man of the name of Cannon was not in the booth at all, that is, not inside the bar, *ib.* 2829–2831. 2846–2852. 2869, 2870. 2882——There were inspectors and check-clerks present, who did not make any objection as witness received the vote, *ib.* 2836–2845. 2853–2855——Examination as to the notice taken by witness at the time of Moore; he did not know he was lame, and did not perceive any impediment in his speech, *ib.* 2860–2868. 2898——Witness's attention was not particularly attracted by the circumstance of Moore voting for only one candidate, *ib.* 2899–2906.

Witness was chekc-clerk for Adair and Hibbert at the booth where Mr. Robert Moore voted, *Mutton* 2906, 2907——Moore was accompanied to the booth by his son-in-law, Mr. Hall; witness does not recollect to have seen a person of the name of Cannon with him, *ib.* 2908–2914. 2943–2955. 3012–3017——Witness sat on one side of the poll-clerk, and a check-clerk on the part of Macaulay and Steuart sat on the other side, *ib.* 3915, 3916. 2925–2932. 3983–2985. 3006–3011——The poll-clerk, after asking Moore's name and profession, read out the name of the candidates, and asked him for whom he voted, to which he replied "Macaulay;" witness is positive he mentioned no other name, *ib.* 2915–2925. 2973–2989——The entry in the poll-book was not objected to by any one; witness made an entry of the vote in his check-book at the time, *ib.* 2926–2942——Statement as to the names of the four candidates having been read out to Moore, at the direction of one of the inspectors; the names were read out to the voters generally, *ib.* 2973–3003. 3018–3020.

Witness was inspector for Adair and Hibbert, in the booth where Mr. Robert Moore voted; was posted immediately behind the poll-clerk, and saw him make each entry in the poll-book, *Darby* 3021–3032——An inspector on the part of Macaulay and Steuart stood by the side of witness, *ib.* 3033–3035——Witness does not recollect the precise hour when Moore voted, *ib.* 3036–3040——Moore was accompanied into the booth by his son-in-law, Mr. Hall; statement, however, as to witness having directed Hall to be removed from the booth, lest he should influence Moore's vote, *ib.* 3042–3048. 3108–3110. 3120. 3128–3141.

Witness does not recollect having seen William Cannon in the booth with Moore, *Darby* 3049–3054. 3078, 3079——Positions in the booth respectively of the voters, the poll-clerks, and the inspectors; the voters stand on a stool in front of and quite close to the poll-clerk's desk; *ib.* 3055, 3056. 3068–3077. 3121–3127——After the poll-clerk had asked the preliminary questions, witness asked him to read the names of the four candidates, as Moore seemed to be in a confused state; witness asked the names to be read out on other occasions also; *ib.* 3057, 3058. 3102–3107. 3111, 3112, 3131–3134——Moore, on being asked for which candidate he voted, answered "Macaulay"; witness saw the poll-clerk so record it, recorded it so himself, and believes it was so recorded by the check-clerk for the opposite party; *ib.* 3058–3067——Moore was twice asked for whom he voted, *ib.* 3135, 3136.

Witness is not friendly with his son-in-law, Hall, and was not accompanied by him to the poll, *R. Moore* 3142–3145——Witness does not recollect to have stood upon a stool or raised step in front of the poll-clerk's desk; the poll-clerk was above witness; *ib.* 3146–3150——Cannon was close behind witness when he voted, *ib.* 3151–3155.

Witness does not recollect whether Moore stood on any step when he voted, or whether the poll-clerk was in a higher position, *Cannon* 3157–3163——Witness when in the booth was not interfered with by the policeman; he was close behind Moore, and heard him vote for Steuart as well as Macaulay, *ib.* 3159, 3160. 3164–3170.

The Committee decide that the vote of Robert Moore be added to the poll for the Sitting Member, *Ev. p.* 112, and *Rep. p.* iii.

Report, 1857—*continued.*

P.

Palmer, Robert Peach. Decision of the Committee, whereby the vote of Palmer is retained on the poll for the Sitting Member, *Ev. p.* 112.

Payne, John. See *Qualification of Voters* (*Payment of Rates*), 1.

Peters, Robert. (Analysis of his Evidence.)—Assistant overseer of the parish of St. Edward, Cambridge, 1860——Evidence to the effect that Frederick Nicholson, auctioneer, did not pay any rate since June 1856 in respect of the house occupied by him in Edward's Passage, and that he has not occupied the house since Christmas 1856; 1861–1899.

[Second Examination.]—Witness is assistant overseer and rate collector in the parish of St. Giles, Cambridge, 2080. 2102–2104——William Henry Lawrence used to live in Edward's Passage, in St. Giles's parish, but left it about Christmas last, and removed for a short time to Merton-place, which he left soon afterwards, and has not been in Cambridge since, except at the election, 2081–2115.

[Third Examination.]—Witness is assistant overseer of the parish of St. Clement, Cambridge, 2355——Application made to witness by Mrs. Gaylor, after the November rate was made, to have her name placed on the rate-book, in lieu of that of her son, William Gaylor; consequent alteration in the rate-book, so that Mrs. Gaylor has since been rated as resident occupier, 2356–2378.

[Fourth Examination.]—Witness, who is assistant overseer of the parish of Holy Sepulchre, delivers in a claim by Mr. Robert Youngman, as to his being qualified to vote in respect of premises in the parishes of Holy Sepulchre and Holy Trinity, 3187. 3189, 3190——Witness was present in the revising court when the claim of Mr. Youngman was heard, Mr. Youngman himself appearing in support of the claim, 3192-3202——Statement as to the reason why Mr. Power, the revising barrister, disallowed Mr. Youngman's claim to be placed in the list of voters; he was not rated in any of the rates in Holy Sepulchre parish, and was not rated in one of the rates in Holy Trinity parish, 3202–3234.

[Fifth Examination.]—Youngman was not rated to the rate in Holy Sepulchre parish of the 11th July 1856; 3285–3289.

[Sixth Examination.]—Witness is assistant overseer and rate collector for the parish of St. Mary-the-Great, 3290——Payment by John Payne of all the rates in 1855, and up to 12th July 1856, in respect of the house occupied by him; explanation hereon as to witness having in error inserted the name of William Payne, instead of John Payne, in the rate-book of 1855; 3291–3316. 3326–3340. 3352–3360. 3371——Statement as to witness having drawn out a claim, and taken it to John Payne for signature, in order to cure his (witness's) error in using the name of William Payne, 3317–3325. 3341, 3342——Argument of the case before the revising barrister adverted to; nature of the objections raised by Mr. Eaden to the claim being allowed, 3342–3351. 3361–3370.

Petition. Employment of witness, in several cases besides those of George Mills and Japhet Edwards, with a view of obtaining evidence for the petition, *Sanderson* 1472–1492. 1505–1507.

Statement relative to an offer of 20 *l.* made to witness by a person of the name of Morgan, who said he was authorised by Mr. Eaden to give him the money if he would speak the "truth"; proceedings subsequently, at Mr. Eaden's office, with reference to an erroneous statement by him that witness knew enough to upset both Members, *Gaylor* 2291–2307. 2314–2319.

Statement as to Gaylor having been brought to witness's office, about three weeks ago, by a person of the name of Morgan, who had previously told witness that Gaylor could give some information, *Eaden* 2931–2936——Gaylor said that Morgan had offered him 20 *l.*, which made witness very angry, for he had never given Morgan any authority to speak to Gaylor at all, *ib.* 2336–2338——Witness had employed Morgan on other matters about the petition, but after the proceeding in question did not again employ him, *ib.* 2239.

Examination as to the employment by witness of Morgan, Edward Sanderson, and a man of the name of Scott, in order to get up evidence for the petition, by extracting information from certain voters; defence of such proceeding, *Eaden* 2340–2354.

Pilson, Edward. In appointing Edward Pilson as messenger, witness did not know he was a voter, *Barlow* 115-121——Total amount paid to Pilson as messenger, *Foster* 273.

Poll-Clerks. Information as to the appointment and pay of witness as poll-clerk, *Jarrold* 2871–2881.

Polling

Report, 1857—*continued.*

Polling Booths. Witness delivers in a notice by the mayor of Cambridge, dated 23d March 1857, relative to the allotment of polling booths for the several parishes, *Eaden* 3171, 3172.

Pryke, Joseph. In appointing Joseph Pryke as messenger, witness was not aware that he was a voter, *Barlow* 100–108. 114——Total amount paid to Pryke as messenger, *Foster* 271, 272.

Pryme, George. See *Non-residence,* II. 2.

Q.

Qualification of Voters (Payment of Rates):

1. *John Payne.*
2. *Robert Youngman.*

1. *John Payne:*

Witness is assistant overseer and rate collector for the parish of St. Mary-the-Great, *Peters* 3290——Payment by John Payne of all the rates in 1855, and up to the 12th July 1856, in respect of the house occupied by him; explanation hereon as to witness having, in error, inserted the name of William Payne, instead of John Payne in the rate-book of 1855, *ib.* 3291–3316. 3326–3340. 3352–3360. 3371——Statement as to witness having drawn out a claim, and taken it to John Payne for signature, in order to cure his (witness's) error in using the name of William Payne, *ib.* 3317–3325. 3341–3342——Argument of the case before the revising barrister adverted to; nature of the objection raised by Mr. Eaden to the claim being allowed, *ib.* 3342–3351. 3361–3370.

Witness and a person of the name of Lenton were executors of Mr. Aaron Payne, and received rent from Mr. William Payne, a nephew of the former, in respect of a shop in Cambridge, *J. Fuller* 3372–3382——William Payne died on the 25th July 1855, *ib.* 3383——Arrangement whereby John Payne succeeded William Payne in his business and in his tenancy, at a reduced rental; he paid rent from Midsummer 1855, *ib.* 3384–3423.

Witness produces the probate of the will of the late William Payne, of Cambridge, *Hall* 3424, 3425——Mr. Bell, brother-in-law of witness, the solicitor to John Payne, is too ill to attend the Committee, *ib.* 3426–3429. 3432——Reference to an entry in Mr. Bell's ledger of certain payments by John Payne (objection by counsel for Sitting Member to this entry being admitted in evidence), *ib.* 3430–3436.

The Committee decide that the vote of John Payne was a good vote, *Ev. p.* 124.

2. *Robert Youngman:*

Witness is a chemist and druggist at Cambridge; voted for Adair and Hibbert, *Youngman* 3184, 3185——Signed a notice in August last, claiming to vote at the elections for Cambridge in respect of premises in the parishes of Holy Sepulchre and Holy Trinity, *ib.* 3188.

Witness, who is assistant overseer of the parish of Holy Sepulchre, delivers in a claim of Mr. Robert Youngman as to his being qualified to vote in respect of premises in the parishes of Holy Sepulchre and Holy Trinity, *Peters* 3187. 3189, 3190——Witness was present in the revising court when the claim of Mr. Youngman was heard; Mr. Youngman himself appearing in support of the claim, *ib.* 3192–3202——Statement as to the reason why Mr. Power, the revising barrister, disallowed Mr. Youngman's claim to be placed on the list of voters; he was not rated in any one of the rates in Holy Sepulchre parish, and was not rated in one of the rates in the parish of Holy Trinity, *ib.* 3202–3234.

Witness occupied a house in Holy Trinity parish up to the 3d July 1856, and paid the rates for it up to the rate in June, and then occupied a house in Holy Sepulchre parish, *Youngman* 3235–3246——Disallowance by the revising barrister of witness's claim to vote, on the ground that he was not rated for his house in Holy Sepulchre parish, *ib.* 3247–3265——When witness's vote was disallowed, he was a Tory, *ib.* 3266——Circumstances under which witness tendered his vote in behalf of Adair and Hibbert, *ib.* 3267–3273——The notice of claim was sent to witness for his signature, *ib.* 3274, 3275.

Witness is assistant overseer for the parish of Holy Trinity, *H. Fuller* 3276——Mr. Robert Youngman paid the rates in parish up to the one made on 3d June 1856; but was not rated to the rate made on the 22d July 1856, *ib.* 3277–3283.

Mr. Youngman was not rated to the rate in Holy Sepulchre parish of the 11th July 1856, *Peters* 3285–3289.

The Committee decide that the claim in regard to the vote of Robert Youngman should not be allowed, *Ev. p.* 118.

Report, 1857—*continued.*

R.

Rayment, George. (Analysis of his Evidence.)—Circumstances under which Japhet Edwards had a conversation with witness, about a fortnight or three weeks after the election, 1513-1525——Edwards said that only one of his three sons had been paid as messenger, and that he would be damned if he would vote on the same side again unless the other two were paid, 1526-1529. 1541——Politics of Edwards adverted to, 1530-1534. 1540——Politics of witness, 1535-1539.

Revision of List of Voters. Witness produces the number of objections at the last revision court, but has never had any list of the parties objected to before the revising barrister, *Cooper* 2379, 2380.

Rutter, Robert. (Analysis of his Evidence.)—Carpenter at Cambridge, 1172——Particulars as to George Mills, plasterer, having been fetched in a dog-cart from Sawston to Cambridge on the polling day; question as to Mills having previously come from Saffron Walden to Sawston, 1173-1179. 1184-1195. 1206-1214——Witness next saw Mills on the Thursday and the Saturday after the election, and was told by him that he had 2 *s.* 6 *d.* given him to bring him back from Cambridge to Sawston, 1180-1182. 1196-1204——Mills lives at Cambridge, and not at Saffron Walden, 1200, 1201.

S.

Sanderson, Edward. (Analysis of his Evidence.)—Lives in King-street, Cambridge; is well acquainted with John Halsey; 622-624——Saw Halsey in Cambridge on Sunday the 29th March, and on the morning of the polling day, 625-631——Particulars as to Halsey having told witness on Sunday the 19th April and the following Wednesday, that he had not been to Isleworth since the summer of 1856; 632-647. 691-698. 721-723. 733, 734——Witness was asked to find out from Halsey whether he had been at Isleworth previously to the election, 637.

Examination as to the occupation and private character of witness, 648-669. 724-732——Statement as to witness having held the conversations with Halsey in April at the request of Mr. Eaden, 670-676. 722, 723. 733——Witness has not been paid for getting the information in question from Halsey; extent of his expectations in the matter, 677-690——Examination as to witness having at the time made a short memorandum of the conversation with Halsey, and having subsequently made a statement to Mr. Eaden, which was taken down in writing, 699-720. 735-737.

[Second Examination.]—Information relative to the three sons of the voter, Japhet Edwards, 1441-1454. 1469-1473——Conversation between witness and Edwards, in which the latter complained that on the day of the election he had spent 12 *s.*, and that although his three sons had been put down as messengers, only one of them had been paid, 1455-1466.

Employment of witness in several cases besides those of Mills and Edwards, with a view to obtaining evidence for the petition, 1474-1492. 1505-1507——Circumstances under which the conversation with Edwards took place, 1492-1501. 1508-1512——Witness did not make any memorandum of what Edwards said, but repeated the conversation to Mr. Eaden the next day, 1502-1504.

Shearman, William. Explanation relative to the payment of the travelling expenses of this voter, *Barlow* 224, 225——Amount paid to Shearman, *Foster* 262, 263.

Smith, Foreman Biggs. (Analysis of his Evidence.)—Keeps a lodging-house at King's Parade, Cambridge, 2446-2449——Has for some years let a sitting-room and bed-room to Mr. George Pryme, of the University, who has paid for them continuously, though he has not continuously occupied them; witness has never let the rooms in his absence, 2450-2465.

Smith, William. (Analysis of his Evidence.)—At the time of the last election witness kept the Bell and Crown public-house in Bridge-street, Cambridge, 774——Previously to the nomination for the last election Richard Stamford, who frequents witness's house, said on several occasions that he would not vote unless he was paid, and that he had been paid for voting before, 775-782——On the evening of the nomination Stamford said he should go and see "Teddy" Lawrence, and have his name put down as messenger; he left witness's house for this purpose, and on his return said that his name had been taken down, 782-796.

Early on the polling day witness saw Stamford and a person of the name of Cousins pass by his house in a fly going to the poll; doubt whether Cousins is a voter, 797-803. 821-827. 831——About half-past ten witness met Stamford at Castle End, when the latter said he had voted; object of witness in going to Castle End, which is some distance from his house, 804-811. 832-870——Particulars as to Stamford having been at witness's

Smith, William. (Analysis of his Evidence)—*continued.*

witness's house at different times during the day after he had voted, 811-819. 828-830. 938-955.

Witness and some others voted for Colonel Adair and Mr. Hibbert, between one and two o'clock; a man of the name of Burbage was not one of these, 860-876——Doubt whether witness had told Stamford how he intended to vote; it was not necessary to do so, 878-885——Examination in regard to Stamford's statements at witness's house that he would vote for the Tories, but not unless he got paid for doing so; there were several persons present on these occasions, 886-937. 956-964——Politics of Stamford adverted to, 887-889. 937.

Statement as to Stamford having said on one occasion that he hoped his arm might drop off if he voted without money, 891-913. 935, 936——Witness did not volunteer to make a statement before Mr. Eaden of what Stamford had said; Mr. Eaden sent for him for the purpose, 965-973——When witness saw Stamford at Castle End, on the following morning, he (Stamford) said he had nothing to do, 974-978.

Stamford, Richard. (Analysis of his Evidence.)—Has voted at three elections at Cambridge; has lived there a great many years, 1052, 1053——Voted at the last election for Macaulay and Steuart; had previously promised to do so, 1054-1059. 1146-1149——Was appointed a messenger by Mr. Barlow, to whom he was recommended by Mr. Lawrence, 1060-1066——Occupation and services of witness as messenger, 1067-1097. 1113-1145——Witness took Mr. Cousins, a voter, to the poll in a fly; Mr. Lawrence was with them, 1070-1072. 1113-1129——Circumstance of witness having been in the Bell and Crown at different times on the polling day, 1089-1097. 1131-1133. 1140-1145.

Witness never said at the Bell and Crown that he would not vote unless he was paid, and that he wished his arm might drop off if he did so vote, 1098-1104——At the election before the last, and at the last election, no money was spent in obtaining votes, 1104, 1105. 1151, 1152——The appointment of messenger had no effect on witness's vote, 1106——Circumstance of witness having received 10 *l.* for his vote in 1852; very many others took bribes on that occasion, 1108-1112. 1150, 1151.

Stamford, Richard. The Committee decide that the vote of Richard Stamford was a bad vote, and have struck it off the poll, *Ev. p.* 47, *and Rep. p.* iii.

See also *Messengers,* III. 4.

State of the Poll. Consideration of the probable number of votes lost by Colonel Adair and Mr. Hibbert, in consequence of a division or split among the Liberals in the borough, *Eaden* 424-446. 455-461.

See also *Banham, William. Baney, William. Bevill, Charles. Crouch, Benjamin. Gaylor, William. Halsey, William. Last, Bradbury. Lawrence, William Henry. Mills, George, Jun. Moore, Robert. Nicholson, Frederick. Non-Residence. Nutt, William Henry. Stamford, Richard.*

Steuart, Andrew. Resolution of the Committee that Mr. Steuart is duly elected, *Rep. p.* iii.

T.

Todd, William. (Analysis of his Evidence.)—Acted as check-clerk in booth A. at the last election, 2516, 2517——Statement as to William Henry Nutt, bookbinder in Green-street having voted in this booth; he stated at the time that his place of residence was in Brunswick-street, 2518-2538.

Travelling Expenses of Voters:

1. *General course adopted by the Agent for the Sitting Member.*
2. *Payment of the Expenses of Charles Harrison.*
3. *Payment of the Expenses of George Mills.*

1. *General course adopted by the Agent for the Sitting Member:*

Witness took the opinion of Mr. Montagu Smith as to the legality of paying the travelling expenses of voters, *Barlow* 31-36——In giving orders upon the election auditor for the payment of travelling expenses, witness took every precaution to see that too much was not paid, *ib.* 53-56——The travelling expenses were mostly paid two or three days after the election, *ib.* 63. 73, 74——In paying the travelling expenses of voters, witness never ascertained from them, and was not aware, that they had voted for Mr. Steuart; he would have paid those whose expenses had been promised, just the same, if he heard they had voted on the other side, *ib.* 413-420.

About a dozen letters, signed by Mr. Charles Balls, were sent to voters, with an intimation at the end of each letter that their fares should be paid; these were doubtless sent to persons expected to support Messrs. Steuart and Macaulay, *Barlow* 84-86. 93-97. 215, 216——Reference to an interview between witness and Messrs. Cockerel and Eaden 217—Sess. 2.

Report, 1857—*continued.*

TRAVELLING EXPENSES OF VOTERS—continued.

1. *General course adopted by the Agent for the Sitting Member*—continued.

Eaden, at which the latter stated that Colonel Adair had resolved not to pay travelling expenses, and would petition if Mr. Steuart did so, *Barlow* 181–190——Explanation relative to the travelling expenses of two voters, paid respectively on the 8th and the 14th April, *ib.* 221–239——Further statement relative to the letters sent out by Mr. Balls; reference made beforehand to the case of Cooper and Slade, as well as to the opinion of Mr. Smith, *ib.* 245–254.

Reference to witness's accounts, and to sundry payments made hy him on the authority of Mr. Barlow for the travelling expenses of certain voters, *Foster* 259–268.

Statement as to Colonel Adair and Mr. Hibbert having resolved not to pay travelling expenses, and as to Mr. Cockerel and witness having communicated such resolution to Mr. Barlow several days before the election, with an intimation that if his party paid them, the question would be raised by Colonel Adair before a Committee of the House of Commons, *Eaden* 356–371. 465, 466.

Concurrence in Mr. Eaden's statement in regard to the interviews with Mr. Barlow, *Cockerel* 474, 475——Eight voters who received travelling expenses polled for Steuart and Macaulay, and one plumped for Steuart, *ib.* 480. 482.

The Committee decide (at a certain point in the evidence) that it has not been proved that the sitting Member was guilty of bribery by himself or his agents, *Ev.* p. 24.

2. *Payment of the Expenses of Charles Harrison:*

Witness plumped for Steuart at the last election, *Harrison* 483–487——Was at Gravesend before the election, and went thence to Cambridge in order to fulfil a previous promise of voting for Mr. Steuart, *ib.* 488–502. 554–558——Particulars as to witness after he had voted having received an order on Mr. Foster from Mr. Barlow for 1*l.* 14*s.*, on account of his travelling expenses from Gravesend to Cambridge, and back again, *ib.* 503–531——Statement of the cost of witness's travelling expenses; total of 1*l.* 14*s.* 6*d.*, *ib.* 532–553. 559.

The Committee decide that the vote of Charles Harrison was a good vote, *Ev.* *p.* 27.

3. *Payment of the Expenses of George Mills:*

Particulars as to George Mills, plasterer, having been fetched in a dog-cart from Sawston to Cambridge on the polling day; question as to Mills having previously come from Saffron Walden to Sawston, *Rutter* 1173–1179. 1184–1195. 1206–1214——Witness next saw Mills on the Thursday and the Saturday after the election, and was told by him that he had 2*s.* 6*d.* given him to bring him back from Cambridge to Sawston, *ib.* 1180–1182. 1196–1204——Mills lives at Cambridge, and not at Saffron Walden, *ib.* 1200, 1201.

Reference to a payment, authorised by Mr. Barlow, of 1*l.* 6*s.*, for the hire of a dog-cart and driver on the 30th March, *Foster* 1215–1219.

Witness voted at the last election, *Mills* 1220, 1221——On the morning of the polling day witness from Saffron Walden *viâ* Sawston to Cambridge; way in which he travelled, *ib.* 1222–1229——Witness returned from Cambridge to Sawston on the 2d or 3d April, having been detained by business in Cambridge, *ib.* 1230, 1231. 1248–1251. 1305–1307——Particulars as to witness having asked and obtained 6*s.* for his travelling expenses from Saffron Walden to Cambridge and back again; calculation of the actual cost, *ib.* 1232–1247. 1254–1262. 1316–1351. 1374–1377.

Witness promised on the Saturday before the election to vote for Steuart and Macaulay; particulars hereon, *Mills* 1252, 1253. 1276–1279. 1356–1363——When witness made out the calculation of 6*s.*, he included his fare all the way back to Saffron Walden; he has not yet been there, but has business there which still requires his presence, *ib.* 1263–1275. 1316–1351. 1366–1373——Arrangement made at the committee-room in Cambridge on the Saturday before the election about sending for witness from Sawston on the Monday morning, *ib.* 1280–1303. 1364, 1365——Witness did not get 2*s.* 6*d.* to take him back from Cambridge, *ib.* 1304——Witness did not intend to apply for his travelling expenses until he heard, after the polling, from two men of the names of Mowden and Robinson, that it was legal and proper for him to do so, *ib.* 1308–1315. 1352–1355.

Explanation relative to the claim of George Mills for travelling expenses as taken down by witness, *Barlow* 1378–1393——Witnsss told mills to be sure and not claim more than he spent, *ib.* 1387.

Resolution of the Committee, that George Mills received money on account of having voted, but that such money was received without the knowledge and consent of the sitting Member or his agents, *Rep. p.* iii——The Committee have altered the poll by striking off the name of George Mills, *ib.*

See also *Halsey, John.* *Shearman, William.*

W.

Waters, Moses. In appointing Waters as messenger, witness did not know he was a voter, *Barlow* 124-127——Total amount paid to Waters as messenger, *Foster* 274.

Waters, William. (Analysis of his Evidence.)—Lives nearly opposite the house lately occupied by Mr. Charles Bevill at Cambridge, 2610, 2611——On the 23d March, Mr. Hibbert and witness canvassed Mr. Bevill for his vote, but he said he was removing that day with his family to London, and did not think he would be there to vote at all, 2612-2621——Witness saw some of the furniture going away on the 23d March, 2622-2624——There was a bill on the house before the 23d March, that the house was to let, and previously to the election the house was shut up, 2626–2633——Particulars relative to an auction held at the house about a fortnight after the election; character of the furniture, 2634-2675.

Writ and Return. Witness produces the writ and the return for the last election for the borough of Cambridge; these have been opened and registered in the Crown Office in the usual way, *Naylor*, 1-9.

Y.

Youngman, Robert. (Analysis of his Evidence.)—Chemist and druggist at Cambridge; voted for Adair and Hibbert, 3184, 3185——Signed a notice in August last, claiming to vote at the elections for Cambridge in respect of premises in the parishes of Holy Sepulchre and Holy Trinity, 3188.

[Second Examination.]—Witness occupied a house in Holy Trinity parish up to 3d July 1856, and paid the rates for it up to the rate in June, and then occupied a house in Holy Sepulchre parish, 3235-3246——Disallowance by the revising barrister of witness's claim to vote, on the ground that he was not rated for his house in Holy Sepulchre parish, 3247-3265——When witness's vote was disallowed he was a Tory, 3266——Circumstances under which witness tendered his vote in behalf of Adair and Hibbert, 3267-3273——The notice of claim was sent to witness for his signature, 3274, 3275.

Youngman, Robert. See *Qualification of Voters* (*Payment of Rates*), 2.

CAMBRIDGE BOROUGH ELECTION

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

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WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

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